# Office of the Attorney General
Washington, D.C.

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

July 25, 1950

MEMORANDUM FOR: Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

From press reports covering a speech by Senator McCarthy this morning, it would appear that the Senator has received FBI reports or copies thereof from some source. It is reported that nearly all the names in the document have been blocked out, but the names of the FBI agents who conducted the inquiry have not been obliterated.

It is requested that you undertake immediately an investigation to ascertain the source from which such FBI reports were obtained by Senator McCarthy. It would appear that there may have been a violation of Title 18, Sections 641 and 2071, U.S.C.A., dealing with the theft, embezzlement, and unlawful removal of Government documents.

J. Howard McGrath
Attorney General

SOURCE OF SENATOR JOSEPH R. McCARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES

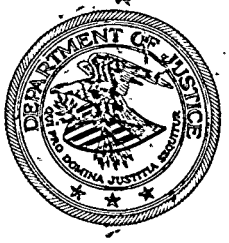
N121-41668-1

RECORDED - 84
SEP 5 1950
34

memo to A.G. 7-27-50

52 SEP 18 1950

5-8



# Office of the Attorney General
Washington, D.C.

July 25, 1950

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

MEMORANDUM FOR: Mr. J. Edgar Hoover
Director, Federal Bureau of
Investigation

I wish to supplement an earlier memorandum transmitted today in which I asked you to inquire into the sources from which Senator Joseph McCarthy was obtaining access to alleged FBI reports.

You are undoubtedly aware of the exhibit which accompanied Senator McCarthy's press release and speech on the Senate floor today, which exhibit purports to quote from a number of FBI reports prepared in connection with the loyalty investigation of Edward G. Posniak. I am informed that a copy of this exhibit was furnished to the Bureau this afternoon by the Criminal Division.

Returned to A.A.G. Inc Inquiry 6:50 PM 7-26-50 W.E. Walsh

I would like to be informed at the earliest possible moment whether or not the purported contents of the reports cited in this exhibit were in fact taken from official FBI reports and whether or not there is material contained in this exhibit which is not contained in the original and official reports of the Bureau.

I would also like to be advised immediately as to whether or not any of the informants interviewed by the Bureau in this case conforms to the description of the informant first described on Page 2 of the exhibit as a former FBI employee who joined the Communist Party in 1937 and was expelled therefrom in 1948.

121-116668-2
EX-13
RECORDED - 84

I would also like to be informed immediately as to whether or not there is any evidence other than that set forth in the reports submitted to the Criminal Division which would indicate that Posniak is or was a member of the Communist Party.

SEP 5 1950

Memo to AG 7-27-50 CAS-MC

52 SEP 18 1950

J. Howard McGrath
Attorney General

SOURCE OF JOSEPH R. McCARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES

July 27, 1950

PERSONAL AND ~~CONFIDENTIAL~~

MEMORANDUM FOR THE ATTORNEY GENERAL

I have your memoranda of July 25, 1950, requesting certain information in connection with an exhibit accompanying Senator Joseph R. McCarthy's press release and speech on the Senate floor Tuesday, and requesting me to inquire into the sources from which Senator McCarthy was obtaining access to alleged FBI reports. As you have indicated, a copy of the exhibit accompanying Senator McCarthy's press release was furnished to us for examination by the Criminal Division.

In connection with this exhibit, you desired to be informed as to whether the purported contents of the reports cited in the exhibit were, in fact, taken from official FBI reports and whether or not there is material contained in the exhibit which is not set forth in the original reports of the Bureau. The exhibit in question is not, of course, an official FBI report and although it bears the heading, "United States Civil Service Commission - Report of Investigation," for your confidential information a representative of the Civil Service Commission has advised us that this exhibit is not an official document of the Civil Service Commission. However, an examination of the contents thereof reveals it to be a summary of material actually contained in the Bureau's loyalty reports concerning Edward George Posniak with the following exceptions:

(1) On page two of the exhibit under the heading "Report of Special Agent [redacted] Washington, D. C., July 6, 1948," the following statement appears: "An FBI Agent who joined the Communist Party at the request of the Bureau in 1937 and was expelled from the Communist Party in 1948 and whose record as an informant was one of complete reliability, stated that ___ was a member of the Communist Party and personally known to him as such."

Although this statement as quoted is not contained in the official FBI report of Special Agent [redacted] [redacted] nor in any other report submitted in the

b6
b7C

b6
b7C

CHS:NRJ:js
83SEP25

MAILED 3
JUL 27 1950
COMM. FBI

RECORDED - 84

121-41668-3

SEP 5 1950

DECLASSIFIED BY 23832
ON 5-10-78 LKS/10,a

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF
DATE

Source of Sen. Jos. R. McCarthy's Info. Re Govt. Employees

Nelson
Tadd
Legg
Lavin
Nichols
Esen
Tracy
Tarbo
Mohr
File, Room
Case
Tandy

loyalty investigation of Peoniak, it is noted that immediately after this statement as it appears in the exhibit there is set forth the statement that "the same informant advised that ____ wife, ____, had been a member of the Communist Party both before and after her marriage to ____. She formerly lived with ____ and the wife of Bernard Adco. They have maintained close association with ____, an admitted Communist Party member." This particular paragraph is almost a direct quote of a portion of the information provided by Washington T-4 as set forth in Special Agent [redacted] official report. Washington T-4 is described in Agent [redacted] report as "a former member of the Communist Party who has furnished reliable information and who assisted in forming numerous front organizations for the Communist Party."

b6
b7C

The information in this particular paragraph of Senator McCarthy's exhibit actually appears in Agent [redacted] official report as "Washington T-4 advised that the employee's wife had been a member of the Communist Party both before and after her marriage to the employee. She formerly lived with [redacted] and the wife of Bernard Adco. They have maintained a close association with [redacted] an admitted member of the Communist Party." Furthermore, in Agent [redacted] report, Washington T-4 continues that "Peoniak claimed to have been in the Communist Party in Europe and said his father had been a Trotskyite. Peoniak came to a lot of 'open unit' meetings and to all recruiting meetings of the Communist Party from about 1933 to sometime in 1940. Washington T-4 stated that he has had no contact with Peoniak since 1940, stating further that Peoniak was horrified at the Russo-German Pact in 1939. His wife was formerly the secretary to Dave Lasser of the Workers Alliance. T-4 stated that it was not known whether the employee has joined the Communist Party but it was his strong belief that he had. His wife was a member of and active in the Young Communist League before and for a while after she became a Communist Party member.

"Washington T-4 further related that Bernard Adco and his wife were associates of the employee in the late 1930's and these people were both members of the Communist Party and have been over a long period of time, stating that Mrs. Adco and Mrs. Peoniak are long-time friends and Mr. Adco ran for Governor of Maryland about

b6
b7C

1924 on the Communist Party ticket. He has recently been named in the newspaper and by radio commentators as a well-known Communist who contributed $5000 to the presidential campaign fund of Henry Wallace. (Through examination of the records of the Campaign Contributions at the Office of the Clerk of the Senate, it was verified that Bernard Ades contributed $5000, February 8, 1948, to the campaign fund of Henry Wallace). Washington T-4 related that when Mrs. Poznak was secretary to David Lasser of the Workers' Alliance, she was a Communist Party member and it was strongly believed that Lasser was also a member but his membership was never definitely established by the informant. He did state, however, that Lasser was a Communist sympathizer and propagated the Communist principles and became quite friendly with and associated with Poznak through Mrs. Poznak. Washington T-4 further informed that the employee was closely associated with [redacted] and [redacted] who are admitted members of the Communist Party."

(2) There also appears on page two of the exhibit the statement, "Another relia le FBI informant recalled ___ as a member of the Communist Party in the late 1930's."

This statement does not appear, as quoted above, in the official report of Special Agent [redacted] dated July 8, 1948, at Washington, D. C. However, in the information attributed to Washington T-4 in Special Agent [redacted] official report, it is noted the informant states "that the United American Spanish Aid Committee in Washington, D. C., was organized and controlled by the Communist Party, and that it was an important transmission belt of the Communist Party. He also recalled the employee as having been a member of this organization in the late 1930's."

(3) On pages four and five of the exhibit a signed statement dated September 7, 1948, is set forth. This signed statement, as contained in the exhibit, is not set forth in the official report of Special Agent [redacted] or any other Bureau report submitted in connection with the loyalty investigation of Poznak. Although the name of the person who executed this statement is blocked out in the exhibit, the statement shows that the individual served with the Czechoslovakian Committee

in May and June of 1940 and also contains the comment, "I noted that he approached each problem from the standpoint, 'How will this help Czechoslovakia...'"

The signed statement dated September 7, 1940, referred to in the exhibit, was obviously not secured by an Agent of this Bureau during the loyalty investigation of Peaniak since the Bureau completed its loyalty investigation on July 20, 1940. However, it is possible that the individual who executed this statement may be identical with [redacted] Office of United Nations Affairs, who was interviewed by the Bureau during the loyalty investigation of Peaniak. In support of this theory, it is noted that when [redacted] was interviewed by the Bureau she stated that Peaniak evidenced a strong pro-Czechoslovakian attitude and approached every question with the query, "How will this benefit Czechoslovakia?" You will note the similarity between this comment and the one appearing in the signed statement set forth in Senator McCarthy's exhibit. At the time [redacted] was interviewed by the Bureau she indicated she did not desire to furnish a signed statement or appear before a Loyalty Hearing Board. The possibility is suggested that [redacted] may have furnished this statement to members of the State Department Loyalty Board during the adjudication of the case and subsequent to the completion of the Bureau's loyalty investigation.

b6
b7C

You also indicated a desire to be advised as to whether or not any of the informants interviewed by the Bureau in this case conform to the description of the informant first described on page two of the exhibit as a former FBI employee who joined the Communist Party in 1937 and was expelled therefrom in 1939. None of the informants used by the Bureau in this case fit the description referred to nor were they so described in the Bureau's loyalty reports concerning Peaniak.

For your additional information and in response to your inquiry, an examination of the files of the Bureau reveals that all pertinent information concerning Peaniak is contained in the loyalty reports furnished to the Criminal Division on March 20, 1950.

In connection with your memorandum pointing out that it would appear Senator McCarthy has received FBI reports or copies thereof from some source, and requesting the Bureau to undertake an investigation to ascertain the source from which FBI reports were obtained, it is noted you indicated there may have been a violation of Title 18, Sections 641 and 2071, U.S.C.A., dealing with the theft, embezzlement and unlawful removal of government documents. Prior to proceeding with such an investigation, it is believed a logical step would be to interview Senator Joseph McCarthy, provided such action would receive your approval and clearance. I would appreciate, therefore, your advice as to whether this Bureau should interview Senator McCarthy or whether you desire to call him before a Federal Grand Jury.

Respectfully,

J. Edgar Hoover

John Edgar Hoover
Director

STANDARD FORM NO. 64

# Office Memorandum — UNITED STATES GOVERNMENT

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Nichols
Mr. Rosen
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tolo. Room
Mr. Neese
Miss Gandy

TO : The Director, Federal Bureau of Investigation DATE: August 3, 1950

FROM : Peyton Ford, Deputy Attorney General

SUBJECT: Unknown Subjects - Forgery; Removal of Government files; Embezzlement

PERSONAL AND CONFIDENTIAL

SOURCE OF SENATOR JOSEPH R. McCARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES

Reference is made to your memorandum of July 27 with respect to the exhibit which accompanied Senator Joseph McCarthy's press release and speech on the Senate floor in the loyalty case involving Edward G. Posniak.

I have discussed this matter with the Attorney General and he believes that a complete investigation should be undertaken at once, particularly since the reports of the Bureau have been compromised and misrepresented. In this connection, it is suggested that all interviews and other inquiries believed to be logical and necessary should be undertaken immediately. The timing or sequence of these investigative steps are, of course, left to your complete discretion.

b6
b7C

Declassified by [redacted]
Special Assistant to the Attorney General
by Routing Slip 7-7-1980.

121-41668-4

RECORDED - 39

~~121-23218~~ 224

SEP 5 1950

34

51 SEP 13 1950

SAC, Washington Field Office

August 7, 1950

Director, FBI

PERSONAL ATTENTION

UNKNOWN SUBJECT
(SOURCE OF SENATOR JOSEPH R. MC CARTHY'S
INFORMATION REGARDING GOVERNMENT EMPLOYEES)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Enclosed herewith are two photostatic copies each of (1) a prepared statement made by Senator Joseph R. McCarthy from the floor of the Senate, July 25, 1950, and (2) an "exhibit" to Senator McCarthy's statement bearing the label "United States Civil Service Commission - Investigations Position - Report of Investigation."

Senator McCarthy used the above described documents in making a statement to the Senate on July 25, 1950 concerning "Mr. X," who has definitely been identified as Edward George Posniak, an employee of the Department of State, who was the subject of a full field loyalty investigation by the Bureau in 1948. An examination of Senator McCarthy's "exhibit," described above, reveals that with minor exceptions, the information set forth therein is in fact a summary of the various reports of the Bureau in the loyalty investigation of Posniak. You will note that nine reports are referred to in the "exhibit" by the name of the reporting Agent. Page 2 of the "exhibit" under the heading "Report of Special Agent [redacted] Washington, D. C., July 6, 1948" appears a statement that "an FBI Agent who joined the Communist Party at the request of the Bureau in 1937 and was expelled from the Communist Party in 1948 and whose record as an informant was one of complete reliability, stated that _____ was a member of the Communist Party and personally known to him as such." This statement, as quoted, is not contained in the official report of Special Agent [redacted] There also appeared on Page 2 of the "exhibit" the statement "another FBI informant recalled _____ as a member of the Communist Party in the late 1930s." This statement, as quoted, is not contained in Special Agent [redacted] official report. On Pages 4 and 5 of the "exhibit" there appears a signed statement dated September 7, 1948, which is not set forth in Special Agent [redacted] official report. Although

b6
b7C

Attachment

NRJ:vab: 58

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Gandy


21-41668-5
RECORDED - 127
EX-105
SEP 5 1950
34
MAILED 3
AUG 8 - 1950
COMM - FBI
52 SEP 11 1950

the person who executed this statement is not shown in the "exhibit," she has been identified as [redacted] who was actually interviewed by the Bureau during the loyalty investigation of Posniak but who declined to furnish a signed statement to the Bureau or appear before a Loyalty Hearing Board.

b6
b7C

Except for the inaccuracies noted above, the information in the "exhibit" actually appears in the Bureau's loyalty reports on Posniak.

In connection with the use of this material by Senator McCarthy, the Attorney General has requested the Bureau to undertake an investigation to ascertain the source from which Senator McCarthy secured this particular information. The Attorney General has pointed out it would appear there may have been a violation of Title 18, Section 641 and 2071, U.S.C.A., dealing with the theft, embezzlement, and unlawful removal of Government documents.

In line with the Attorney General's request, Senator McCarthy has been interviewed by an official of the Bureau concerning the source from which he obtained the information in question. He advised he could not furnish any information concerning this matter; that his source was confidential and he could not disclose it. He further stated that no employee in his office could furnish any information relative to this matter; that he had instructed them all not to disclose the source of any of his material inasmuch as he felt it was his duty to protect his source.

You are instructed to immediately initiate an investigation in an effort to identify the source from which Senator McCarthy secured the "exhibit" described above or the source of the information appearing therein. In conducting this investigation you should under no circumstances contact Senator McCarthy or any member of his staff. For your assistance in conducting this investigation there are set forth below the following points of interest which may have a bearing on this investigation:

(1) On March 20, 1950, former Special Agent Surino, who is attached to Senator McCarthy's staff, contacted Special Agent John Montgomery of the Baltimore Office and advised him that Senator McCarthy was

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Neiba
Candy

going to expose one Walter H. Posniak, a State Department employee. At that time Surino had in his possession a memorandum apparently from Senator McCarthy's office which included quoted material apparently from Bureau investigative reports. Special Agent Montgomery of the Baltimore Office concluded this material in Surino's possession came from Bureau investigative reports because he had recognized the names of Special Agents Joseph Kelly and [redacted] No record could be located in the Bureau files on Walter H. Posniak at that time but a record was located on Edward George Posniak, State Department employee, who was investigated under the Loyalty Program. It was noted that Special Agent Joseph M. Kelly submitted reports dated June 23 and June 11, 1948, at New York in the investigation of Edward George Posniak and Special Agent [redacted] of the San Francisco Office submitted a report dated June 25, 1948. The possibility, therefore, exists that the material in Surino's possession at the time he contacted Special Agent Montgomery of the Baltimore Office was the "exhibit" used by Senator McCarthy on July 25, 1950. However, as indicated above, Surino is attached to Senator McCarthy's staff and under no circumstances should he be contacted.

b6
b7C

(2) You will note the "exhibit" bears the label "United States Civil Service Commission - Investigations Position - Report of Investigation," the classification "secret" and what appears to be a stamp of the Civil Service Commission showing "Received September __, 1948, Investigations Division, United States Civil Service Commission." Under the heading "Distribution" it is shown that the Department of State received three copies of this document.

In an effort to determine whether the "exhibit" in the possession of Senator McCarthy was an authentic replica of a document prepared by the Civil Service Commission, a representative of the Bureau discussed this matter with Mr. Kimbell Johnson, Assistant Chief, Investigations Division, United States Civil Service Commission. Johnson emphatically stated the document in question did not originate in the Civil Service Commission and is not a summary prepared by the Civil Service Commission. He pointed out there are certain irregularities in the purported stamp which

Tolson_____
Ladd_____
Clegg_____
Glavin_____
Nichols_____
Rosen_____
Tracy_____
Harbo_____
Mohr_____
Tele. Room_____
Nease_____
Gandy_____

indicate the stamp may be a forgery. According to Johnson, this type of summary is never prepared in a loyalty case in the Civil Service Commission itself. As a further indication that this document did not come from the Civil Service Commission, Mr. Johnson explained that on Page 4 of the alleged summary a statement appears from [redacted] dated September 7, 1948. Johnson advised that this statement has never been in the files of the Civil Service Commission but he is of the opinion that the statement was taken in connection with the State Department Loyalty Hearing of Posniak. A copy of this statement undoubtedly would have been sent by the State Department Loyalty Board, in the regular course of business, to the Loyalty Review Board. b6 b7C

(3) With further reference to the statement appearing in Senator McCarthy's "exhibit" dated September 7, 1948, it has been identified with a statement executed by [redacted] Mr. Donald L. Nicholson, Chief, Security Division, State Department, has informed a Bureau representative that [redacted] did in fact give a signed statement to the State Department Loyalty Board on August 9, 1948. According to Nicholson, this statement of [redacted] was used as part of the evidence by the State Department Loyalty Board in the Posniak case and the case was later referred to the Loyalty Review Board at which time the statement was part of the State Department's file. The Loyalty Review Board received the material from the State Department on December 10, 1948 and kept it for a number of months when it was returned to the State Department at which time only copies of the statement given by [redacted] were in the file and the original which she submitted is presently unaccounted for. At the time this information was furnished to the Bureau representative, the State Department was attempting to determine the location of the original of [redacted] statement. b6 b7C

Attention is invited to the fact that, according to Nicholson, the signed statement was given to the State Department by [redacted] on August 9, 1948, whereas Senator McCarthy's "exhibit" carries the date of this statement as September 7, 1948. Attention is also invited to Mr. Nicholson's statement that the Loyalty Review Board received the case material on Posniak from the State Department on December 10, 1948. You will note the date stamp on Senator McCarthy's "exhibit" appears to indicate the document was received in the Investigations Division, United States Civil Service Commission on September 10, 1948. The exact significance of these date discrepancies ~~are~~ is not known but ~~are~~ is being called to your attention. b6 b7C

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Sandy

(4) On March 14, 1950, the Honorable Seth W. Richardson, Chairman, Loyalty Review Board, telephonically contacted a Bureau official and advised that in a speech made that morning by Senator McCarthy he had referred to a decision handed down by the Loyalty Review Board on March 3, 1950, in the case of John Stewart Service. This decision by the Loyalty Review Board amounted to a reversal of the decision of the Department of State Loyalty Board and a referral of the Service case back to the State Department Loyalty Board for further consideration. Mr. Richardson indicated this particular decision had been held very close in the Loyalty Review Board and had not been communicated to the State Department until that afternoon after Senator McCarthy's speech. Mr. Richardson wanted to know whether the Bureau would conduct an investigation as to who in the Loyalty Review Board had disclosed this information. He was advised that the Bureau could not assist him in connection with this problem since the matter was strictly an administrative one within the operation of his own office and did not constitute a violation which the Bureau could investigate. (121-23278-45)

Independent of this communication from Mr. Richardson, the Bureau received some information in the strictest of confidence to the effect that one Thomas W. Beale, a Legal Adviser to the Loyalty Review Board, might possibly be furnishing information to certain Republican Congressmen. The informant furnishing this information to the Bureau based his conclusion upon the fact that the loyalty case involving Dorothy Kenyon was sent to the Loyalty Review Board for post audit and during the post audit process Beale allegedly exhibited extreme interest in the case and, in fact, wrote the review of the case, in which he "blistered" the State Department for the stand taken in that case. The Loyalty Review Board subsequently returned the case to the State Department by letter which neither approved nor disapproved the stand taken by the State Department but the following morning Senator McCarthy severely criticized the State Department for its stand and quoted the stand supposedly taken by the Loyalty Review Board. The informant felt that Senator McCarthy's information had apparently come directly from the review of the case written by Beale. The informant also advised that Beale spends a great deal of time abstracting information from Bureau reports, reports from the House Committee on Un-American Activities and other sources on three by five cards which he cross references for his personal files in his office. According to the informant this project is not a Civil Service Commission project, not a part of Beale's official work, and never used in connection with Civil Service Commission business. The informant further alleged that several months ago Beale carried home with him each night a full brief case and although the contents thereof were unknown, there was no reason, according to the informant, for Beale to be taking

b6
b7C

official work home with him at night. Beale also reportedly made the statement that he could sell the three by five cards in his file for a considerable amount. According to the informant, the Civil Service Commission in 1944 established for all practical purposes that Beale had been furnishing information to Congressmen Wigglesworth, Busby, Reece and Vursell; that Busby and his wife recently visited in Washington, D. C., in the home of Beale. The informant further advised that he had been recently approached telephonically by a [redacted] of the American Federation of Government Employees and requested to furnish to a representative of an unnamed Congressman information concerning the inside operation of the Loyalty Review Board. The informant refused and [redacted] allegedly remarked to another individual on the other end of the telephone line, "It makes no difference. I have another contact inside the Loyalty Review Board." The informant pointed out in this connection that Beale is acquainted with [redacted]

In connection with the above information concerning Beale furnished to the Bureau in strictest confidence, the Bureau contemplates recontacting the informant through Liaison channels and under no circumstances should you reveal during the course of your investigation knowledge of the fact that the Bureau is in possession of the above information concerning Beale. The information is being supplied to you solely for your information in conducting the investigation.

(121-3-249)

(5) On July 17, 1950, [redacted] State Department, confidentially advised the Bureau's Liaison representative that from his work in the State Department dealing with the charges of Senator McCarthy it had become evident to him that one [redacted] in the office of Colonel Hatcher, Chief, Investigations Division, Civil Service Commission, is a possible leak of confidential information from the Commission to Senator Joseph McCarthy. [redacted] specifically stated he had no facts to back this up at the present time.

In conducting the investigation to identify the source from which Senator McCarthy secured his "exhibit" or the information contained therein, the following suggestions are offered for your guidance. These suggested leads are not to be construed as all inclusive of the investigation required of your office but you should, of course, pursue any logical leads and conduct any logical interviews suggested during the course of your inquiries in an effort to identify the unknown subject or subjects in this case.

(1) Examine the loyalty file and/or personnel file on Edward George Posniak maintained by the Civil Service Commission, the State Department and the Loyalty Review Board to determine if the "exhibit" of Senator McCarthy

is an actual replica of any document prepared by either of these three agencies. If so, determine who prepared it or assisted in its preparation, why it was prepared, when it was prepared and what agencies received copies thereof. Ascertain how the document was maintained and who had access to it. Determine whether it contains a stamp of the Civil Service Commission similar to the one appearing on Senator McCarthy's "exhibit." Ascertain what office placed this stamp on the document if determined to be an actual replica. Explore any leads suggested in an effort to identify the person responsible for furnishing the document to Senator McCarthy.

(2) Secure appropriate samples of any Civil Service Commission date stamps similar in nature to the stamp appearing on Senator McCarthy's "exhibit" and submit these samples to the FBI Laboratory for examination to determine whether the stamp appearing on Senator McCarthy's "exhibit" is authentic. If authentic determine whether that particular stamp is currently used by the Civil Service Commission and if not when the Commission ceased using it. Determine whether the Loyalty Review Board uses a stamp similar to the one appearing on the McCarthy "exhibit" and if not what date stamp is used by the Loyalty Review Board on documents in its possession. Utilize the same procedure in endeavoring to trace the authenticity of the "secret" stamp appearing on the McCarthy "exhibit" and the office responsible for placing this stamp on the document. Explore any logical leads suggested.

(3) Explore the significance of the appearance of the statement dated September 7, 1948, in Senator McCarthy's "exhibit". This statement was not taken by the Bureau but, as noted previously, was obtained from [redacted] by the State Department Loyalty Board. It would appear the person who prepared the "exhibit" or who furnished the information from which the "exhibit" was prepared would have had to have access to this particular statement of [redacted] It might therefore be significant to determine which of the three agencies have copies of the statement of [redacted] in their files. As noted previously, Mr. Nicholson of the State Department indicates this signed statement was furnished by [redacted] on August 9, 1948, whereas the statement is dated September 7, 1948, in Senator McCarthy's "exhibit." You should therefore determine the correct date of [redacted] statement and be alert to determine whether a copy of this statement appearing in the files of one of the agencies in question might bear an incorrect date which might suggest that the unknown subject or subjects in this case are attached to the agency whose files contain a copy of this statement dated September 7, 1948, as it appears in Senator McCarthy's "exhibit."

b6
b7C

b6
b7C

(4) Your original contact with the three agencies in question should be with the following representatives: Mr. Donald L. Nicholson, [redacted] Department of State, [redacted] Security Office, Department of State, Honorable Seth W. Richardson, Chairman, Loyalty Review Board, or Mr. L. V. Keloy, Executive Secretary, Loyalty Review Board, Colonel James E. Hatcher, Chief, Investigations Division, Civil Service Commission, or Mr. Kimball Johnson, Assistant Chief. The above individuals should be able to give you access to the necessary files and date stamps and furnish you with any material necessary concerning the operations of the three agencies in question. During the course of the interviews you should also ascertain from the individuals whether they have any suspicions as to who might be responsible for furnishing the information in question to Senator McCarthy. In conducting these interviews you should advise these representatives that this investigation is being conducted at the specific request of the Department of Justice for the specific purpose of determining the source of Senator McCarthy's "exhibit" or the information contained therein. In dealing with Mr. Richardson, in view of his previous request for the Bureau to investigate a possible "leak" in the Loyalty Review Board, you should be careful not to bring up this controversial issue unless he injects the matter into your discussion, in which case you should make clear to him that the purpose of the Bureau's investigation is to specifically determine the source of Senator McCarthy's "exhibit" or the information contained therein and is not a general investigation of a "leak" in the Loyalty Review Board. In conducting the interview with [redacted] of the State Department you should not mention the information previously furnished by him concerning [redacted] unless he independently mentions [redacted] as a possible suspect, in which case you should question him closely as to the basis for his suspicions and secure from him any evidence supporting his convictions.

In the event you identify the unknown subject or subjects in this case you should not interview them without specific Bureau authority and their identities should be immediately furnished to the Bureau. The delicacy and urgency of this investigation should be self evident. It must be assigned for investigation immediately upon receipt in your office to mature, experienced Agent personnel and the investigation pursued in a thorough, tactful manner to prevent any criticism of the Bureau. You should, of course, keep in mind the instructions in Section 50, Manual of Instructions, dealing with theft, embezzlement and unlawful removal of government property. Sufficient personnel should be assigned to conduct this investigation in order to insure its completion and submission of a report to reach the Bureau not later than the morning of Thursday, August 10, 1950.

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: August 7, 1950

FROM : D. M. Ladd

SUBJECT:

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

I saw Senator Joseph McCarthy on Friday afternoon, August 4. I advised him that Mr. Peyton Ford, Deputy Attorney General, had instructed that the Bureau conduct a complete and full investigation for the purpose of determining the source of the exhibit which accompanied Senator McCarthy's press release on Edward G. Posniak.

I inquired as to the source of this from Senator McCarthy. Senator McCarthy stated he could not furnish any information concerning this matter; that his source was confidential and he could not disclose it. He further stated that no employee in his office could furnish any information relative to this matter; that he had instructed them all not to disclose the source of any of his material inasmuch as he felt it his duty to protect his source.

DML:dad

Source of Sen. Jos. R. McCarthy's Info. Re Govt. Employees

121-41668-6

RECORDED - 84

~~121-33278-246~~

SEP 5 1950

34

EX-13

52 SEP 18 1950

FBI WASH FIELD 8-8-50

DIRECTOR URGENT

UNSUB (SOURCE OF SENATOR JOSEPH R. MC CARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES). RGP. LGE. REBULET AUG SEVEN LAST. REQUEST THAT SEARCH BE MADE OF BU FILES FOR ANY TYPEWRITTEN COMMUNICATIONS RECEIVED BY BU EMANATING FROM OFFICE OR STAFF MEMBERS OF SENATOR MC CARTHY, AND ANY TYPEWRITTEN COMMUNICATIONS RECEIVED FROM FORMER SA SURINE AFTER HIS SEPARATION FROM BU, FOR PURPOSE OF COMPARISON WITH QUOTE EXHIBIT UNQUOTE REPORT OF INVESTIGATION, TO DETERMINE IF PREPARATION OCCURRED WITHIN MC CARTHY STAFF. ALSO REQUEST THAT LAB COMPARE QUOTE EXHIBIT UNQUOTE REPORT WITH PREPARED STATEMENT OF MC CARTHY FOR SAME PURPOSE. SUTEL RESULTS.

HOTTEL

CML:BGN
121-14939

121-41668-7

RECORDED: 117

STANDARD FORM NO. 64

b6
b7C

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

DATE: August 8, 1950

FROM : A. H. Belmont

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Holmes
Miss Gandy

SUBJECT: UNKNOWN SUBJECT
(SOURCE OF SENATOR JOSEPH R. MC CARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

PURPOSE: Unknown Subject, "Removal of Government Property" case presently pending concerning the furnishing of purported Government document to Senator McCarthy. This memorandum is to request Supervisor [redacted] Liaison Section, to recontact [redacted] who previously furnished [redacted] with information concerning possible "leak" in Loyalty Review Board.

BACKGROUND: Reference is made to a memorandum from Peyton Ford dated August 3, last, requesting that an investigation be conducted to determine the source from which Senator Joseph R. McCarthy obtained the "exhibit" which accompanied his press release and speech on the floor of the Senate on July 25 in the loyalty case involving Edward G. Posniak.

By letter dated August 7, 1950, the Washington Field Office was instructed to conduct a full field investigation concerning this matter and submit a report to reach the Bureau no later than Thursday, August 10, 1950.

By memorandum dated March 15, 1950, I advised you that [redacted] and a personal friend of Supervisor [redacted] had advised Supervisor [redacted] that apparently Thomas W. Beale, [redacted] a Legal Advisor to the Loyalty Review Board, was furnishing information to certain Republican Congressmen. This information was furnished to Supervisor [redacted] on a strictly confidential and personal basis. It is believed advisable, in view of the pending investigation, to determine the identity of the individual who furnished the "exhibit" to Senator McCarthy ~~and~~ that Supervisor [redacted] recontact [redacted] for any additional information which he might have which would assist in determining the source from which Senator McCarthy obtained his "exhibit."

Incl Dtd Returned to Loyalty Sect

STATUS: Pending.

ACTION: It is recommended that the attached copy of the letter to the Washington Field Office, as well as the attached photostatic copy of Senator McCarthy's exhibit, be immediately forwarded to Supervisor [redacted] with the request that he recontact [redacted] for any information which he may have concerning this matter. Supervisor [redacted] is requested to advise the Loyalty Section immediately concerning the results of his interview with [redacted] It is noted that the deadline in this case is Thursday, August 10, 1950.

Attachment

HJP:mar

memo to Ladd 8-10-50

RECORDED - 4 121-41663-8

EX-6

34

SEP 5 1950

SAC, Washington Field

August 9, 1950

RECORDED - 57

Director, FBI

BY SPECIAL MESSENGER

UNKNOWN SUBJECT
(Source of Senator McCarthy's Information
Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Reurtel 1:00 p.m. instant date. Confirming telephonic advice from Bureau 4:30 p.m. instant date, arrangements made by Bureau for Agents your office to interview Mr. Clive Palmer of the Department at 5:00 p.m. today. You should definitely determine whether Department has conducted extensive investigation specifically on captioned matter, or whether Palmer's file consists of results of investigation by State Department or Civil Service Commission, or whether his file relates to previous general allegation of a "leak" in Loyalty Review Board. If it is determined that Department has conducted investigation on this specific matter, conduct no further investigation but advise Bureau in detail. Mr. Palmer's file should be reviewed thoroughly for any information which may be pertinent to this case.

HJP:ees

In pursuance to instructions from Mr. Belmont, Supervisor C. H. Stanley telephonically contacted Mr. Clive Palmer of the Department at 4:20 p.m. this date. Advised Mr. Palmer that information had been received that he had a file on captioned matter. On his advising that he did, Supervisor Stanley requested an interview with him by Agents of the WFO. Mr. Palmer agreed to see the Agents at 5:00 p.m.

Supervisor Grampf of the WFO was immediately contacted and advised of the arrangements for the interview. Supervisor Grampf was instructed to determine from Mr. Palmer's file whether he had in fact, conducted "extensive investigation" concerning this particular matter, or whether his file reflected the results of a State Department or Civil Service Commission investigation. He was instructed further that if Mr. Palmer's file reflected that the Department had conducted investigation of this particular matter, as distinguished from any investigation of the previous allegation of a "leak" in the Loyalty Review Board, that the WFO should discontinue the investigation and advise the Bureau.

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

SEP 12 1950

AUG 9 1950

FBI - WASH. FIELD
RECEIVED AUG 9 6 50 PM

FD-36

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

---

Transmit the following Teletype message to:

WASHINGTON FIELD 8/9/50 1:00 PM

DIRECTOR, FBI URGENT

RE UNKNOWN SUBJECT. PARENTHESIS SOURCE OF SENATOR JOSEPH R. McCARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES PARENTHESIS. REMOVAL OF GOVERNMENT PROPERTY. LGE. IN INTERVIEW WITH [redacted] OFFICE OF CONTROLS, STATE DEPARTMENT YESTERDAY HE INDICATED CONFERENCE HAD BEEN ENGAGED IN BETWEEN EITHER HIMSELF OR DONALD NICHOLSON AND PEYTON FORD AND CLIVE PALMER OF THE DEPARTMENT AND POSSIBLY CSC REPRESENTATIVES. TODAY, IN INTERVIEW WITH KIMBELL JOHNSON, CSC, HE INDICATED THAT COLONEL HATCHER, STATE DEPARTMENT OFFICIALS AND CLIVE PALMER HAD CONSULTED TOGETHER IMMEDIATELY AFTER McCARTHY'S DISCLOSURES PRESUMABLY ON JULY TWENTY FIFTH, FIFTY AND THAT A RATHER EXTENSIVE INQUIRY WAS CONDUCTED, CERTAIN PHASES OF WHICH WERE HANDLED BY JOHNSON AT THE DIRECTION OF HATCHER, BUT THAT JOHNSON WAS NOT AWARE OF THE COMPLETE DETAILS ALTHOUGH COLONEL HATCHER UNDOUBTEDLY IS. HATCHER, HOWEVER, IS IN CANADA ON VACATION, NOT EXPECTED TO RETURN UNTIL AT LEAST A WEEK. JOHNSON INDICATED A FILE CONTAINING THE FULL RESULTS OF THE INQUIRY WHICH HAD BEEN UNDERTAKEN WAS IN EXISTENCE AND PRESUMABLY IN THE HANDS OF CLIVE PALMER. JOHNSON FURTHER STATED THAT AFTER RECEIVING THE PHONE CALL FROM WFO AGENT THIS MORNING ARRANGING FOR INTERVIEW, HE CALLED CLIVE PALMER TO INQUIRE IF HE SHOULD INFORM AGENTS OF WHAT HE KNEW CONCERNING THE MATTER WHEREUPON PALMER INDICATED THAT JOHNSON COULD SO INFORM THE AGENTS, STATING THAT THE AGENTS WILL PROBABLY WANT TO SEE HIM, PALMER ON THE MATTER ANY WAY.

121-41665-9

CWL:ep
121-14939

Approved: _____
Special Agent in Charge

RECORDED 57

Sent _____ M Per _____

5 1950

24

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

---

Transmit the following Teletype message to:

PAGE TWO

JOHNSON DEFINITELY STATED TO THE AGENTS THAT THEY WOULD BE ILL ADVISED TO CONDUCT ANY INTERVIEWS OR INVESTIGATION AT LOYALTY REVIEW BOARD UNTIL THEY HAD MADE A REVIEW OF THE FILE ON THE MATTER IN PALMER'S POSSESSION, SINCE, APPARENTLY THE INQUIRY REFLECTED IN SUCH FILE WENT INTO THE QUESTION OF SUSPECTS AT THE LOYALTY REVIEW BOARD, INCLUDING,APPARENTLY, DR. COOMBS OF LRB. THE FILE UNDOUBTEDLY MUST ALSO REFLECT A CONSIDERABLE AMOUNT OF INVESTIGATION AT THE CSC INVESTIGATIONS DIVISION WHICH WAS APPARENTLY CONDUCTED BY HATCHER WITH THE ASSISTANCE OF JOHNSON LOOKING TOWARD THE POSSIBILITY OF THE LEAK BEING IN THE CSC INVESTIGATIONS DIVISION. IN VIEW OF THE FACT THAT THIS PRIOR INVESTIGATION MAY HAVE BEEN CONDUCTED, AND IN VIEW OF JOHNSON'S ADMONISHMENT THAT INQUIRY AT LRB SHOULD NOT BE MADE UNTIL A REVIEW OF PALMERS' FILE, NO FURTHER INQUIRY WILL BE CONDUCTED UNTIL ADVICE IS RECEIVED FROM THE BUREAU.

HOTTEL

Approved:_____ Sent_____M Per_____

Special Agent in Charge

FBI WASH FIELD 8-9-50 10a.m.

DIRECTOR AND SAC MIAMI URGENT

UNKNOWN SUBJECT PAREN SOURCE OF SENATOR JOSEPH R. MC CARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES PAREN REMOVAL OF GOVERNMENT PROPERTY, LGE. ON JULY TWENTYFIVE FIFTY, SENATOR MC CARTHY MADE A PREPARED STATEMENT ON THE FLOOR OF THE SENATE CONCERNING QUOTE MR. X UNQUOTE, WHO HAS BEEN IDENTIFIED AS EDWARD GEORGE POSNIAK, AN EMPLOYEE OF THE STATE DEPARTMENT, WHO WAS SUBJECT OF FBI IN FORTYEIGHT. TO DOCUMENT HIS STATEMENT SENATOR MC CARTHY PRESENTED AN QUOTE EXHIBIT UNQUOTE BEARING THE LABEL QUOTE UNITED STATES CIVIL SERVICE COMMISSION DASH INVESTIGATIONS POSITION DASH REPORT OF INVESTIGATION UNQUOTE WHICH MC CARTHY REFERRED TO AS AN FBI REPORT, AND WHICH IN FACT CONTAINED, WITH CERTAIN EXCEPTIONS, THE EXACT INFORMATION APPEARING IN THE REPORTS OF A NUMBER OF BUREAU AGENTS IN THE FBI OF POSNIAK. ONE OF THE EXCEPTIONS WAS THE FACT THAT A SIGNED STATEMENT APPEARED ON PAGES FOUR AND FIVE OF THE QUOTE EXHIBIT UNQUOTE, PURPORTING TO HAVE BEEN CONTAINED IN THE REPORT OF SA [redacted] WASHINGTON, D. C., JULY SIX, FORTYEIGHT. ALTHOUGH THE PERSON WHO EXECUTED THIS STATEMENT, WHO HAS BEEN IDENTIFIED AS [redacted] WAS ACTUALLY INTERVIEWED BY THE BUREAU DURING THE LOYALTY INVESTIGATION OF POSNIAK, SHE DECLINED TO FURNISH A SIGNED STATEMENT, AND HER SIGNED STATEMENT DID NOT APPEAR IN [redacted] REPORT. THE STATEMENT AS IT APPEARS IN MC CARTHY'S QUOTE

b6
b7C

121-41606-10

RECORDED - 6

INDEXED - 6

b6
b7C

EXHIBIT UNQUOTE IS DATED SEPTEMBER SEVEN, FORTYEIGHT. MR. DONALD L. NICHOLSON, CHIEF, SECURITY DIVISION, STATE DEPARTMENT, HAD INFORMED A BUREAU REPRESENTATIVE THAT [redacted] DID IN FACT GIVE A SIGNED STATEMENT TO THE STATE DEPARTMENT LOYALTY BOARD ON AUGUST NINE, FORTYEIGHT. THIS DATE ASSUMED IMPORTANCE IN VIEW OF THE FACT THAT MC CARTHY'S QUOTE EXHIBIT UNQUOTE CARRIED THE DATE AS SEPTEMBER SEVEN, FORTYEIGHT. HOWEVER, UPON A REVIEW OF THE STATE DEPT. FILES IN THE POSNEAK CASE, SECURED FROM NICHOLSON'S OFFICE, THE ORIGINAL AND COPIES OF THE [redacted] STATEMENT WERE LOCATED IN THE FILES, AND DID IN FACT CARRY THE DATE OF SEPTEMBER SEVEN, FORTYEIGHT. NO WHERE IN THE STATE DEPT. FILES, OR IN THE KNOWLEDGE OF [redacted] OF THE STATE SECURITY DIVISION, OR [redacted] OF THE OFFICE OF CONTROLS, STATE DEPT., DOES THERE APPEAR ANY INDICATION OF THE AUGUST NINE, FORTYEIGHT DATE. ANY SUCH DISCREPANCY IN DATE IS CONSIDERED OF IMPORTANCE, AND THEREFORE THE MIAMI OFFICE IS REQUESTED TO INTERVIEW MR. DONALD L. NICHOLSON, WHO IS PRESENTLY STAYING AT THE MARTINDALE APARTMENT, THREE ZERO ZERO SIX BAYSHORE DRIVE, FT. LAUDERDALE, FLORIDA, ADVISING HIM OF THE FACT THAT THE [redacted] STATEMENT IN THE STATE DEPT. FILES DOES CARRY THE SAME SEPTEMBER SEVEN, FORTYEIGHT DATE AS THE MC CARTHY QUOTE EXHIBIT UNQUOTE SHOWS, AND ASCERTAIN FROM HIM WHAT THE NATURE OF HIS INFORMATION IS REGARDING THE DATE OF AUGUST NINE, FORTYEIGHT WHICH DATE HE INFORMED THE BUREAU REPRESENTATIVE THAT [redacted] DID IN FACT GIVE THE SIGNED

STATEMENT TO THE STATE DEPARTMENT LOYALTY BOARD. THIS INVESTIGATION SHOULD BE CONDUCTED IMMEDIATELY. SUTEL BUREAU AND THIS OFFICE.

HOTTEL

CWL:nkt
121-14939

August 9, 1950

SAC, Washington Field

Director, FBI

BY SPECIAL MESSENGER

UNSUB (Source of Senator Joseph R. McCarthy's Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Reurtel August 8 last requesting comparison of typing appearing on any communications received by Bureau from former Special Agent Donald A. Surine subsequent to his separation from Bureau with typing appearing on "Exhibit" used by Senator McCarthy in Senate statement of July 25. Bureau files reflect no such communication from Surine. Washington Field Office should search its files for such communication. In this regard reference made to Washington Field Office letter to Bureau dated June 6, 1950 entitled [redacted] Internal Security - R"; Washington Field Office letter to Bureau dated June 23 last, entitled "Adolf Hoffmeister, Internal Security - R and C2"; and Washington Field Office letter dated May 23, 1950, entitled [redacted] Information Concerning".

b6
b7C

All above letters indicate contact with Washington Field Office by Surine, though not apparent whether by letter or orally. In event typewritten communication from Surine found same should be forwarded to Laboratory immediately for desired examination.

HJP:ees

121-[illegible]-11

RECORDED 127

EX-105

SEP 5 1950

34

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Carbo
Lohr
Tele. Room
Nease
Gandy

AUG 9 1950

52 SEP 11 1950

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 9 1950

TELETYPE

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

FBI MIAMI 8-9-50 443 PM HSB

DIRECTOR AND SAC, WASHINGTON FIELD.....U R G E N T

UNKNOWN SUBJECT PAREN SOURCE OF SENATOR JOSEPH R. MC CARTHY-S INFORMATION REGARDING GOVERNMENT EMPLOYEES PAREN REMOVAL OF GOVERNMENT PROPERTY, LGE. RE WFO TEL THIS DATE. DONALD L NICHOLSON CONTACTED AT FORT LAUDERDALE, FLORIDA, ADVISED THAT [redacted] STATEMENT WAS MADE SEPTEMBER SEVEN, NINETEEN FORTYEIGHT AND NOT ON AUGUST NINE. NICHOLSON ADVISED IS POSITIVE OF THIS FACT AND SAID INSTANT LOYALTY REPORT RECEIVED FROM CSC ON AUGUST SECOND, NINETEEN FORTYEIGHT AND AUGUST NINE WAS DATE STATE DEPARTMENT SECURITY DIVISION FORWARDED REPORT TO STATE DEPARTMENT LOYALTY SECTION AND FELT MISINTERPRETATION AROSE FROM THIS FACT. NICHOLSON ADDED THAT [redacted] LEGAL OFFICER, STATE DEPARTMENT SECURITY DIVISION, OBTAINED INSTANT STATEMENT AND CAN VERIFY. RUC.

MASON

END

ACK PLS

5-47 PM OK FBI WA LMK

V

b6
b7C

RECORDED - 6 121-41668-12

EX-105

SEP 5 1950

34

cc: Mr. Belmont
Miss Gandy

TWO COPIES WFO

52 SEP 12 1950

STANDARD FORM NO. 64

120403

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: August 9, 1950

FROM : C. H. Stanley

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Candy

SUBJECT: UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

PURPOSE:

To request the Laboratory to make appropriate typewriting examinations in attempt to identify typewriter used to prepare the "Exhibit" used by Senator McCarthy in his Senate statement of July 25 last.

BACKGROUND:

As you know, on July 25, 1950, Senator Joseph R. McCarthy used a prepared statement in making a speech on the floor of the Senate concerning "Mr. X", who has been identified as Edward George Posniak, a State Department employee. In connection with McCarthy's statement he used an "Exhibit", which was an eleven page document bearing the label "United States Civil Service Commission - Investigations Position - Report of Investigation", which document purported to set forth information concerning "Mr. X".

Further reference is made to Bulet to Washington Field Office dated August 7, 1950, instituting an investigation at the request of the Department in an effort to determine the source from which Senator McCarthy obtained the information set forth in his "Exhibit".

By teletype dated August 8, 1950, the Bureau Laboratory was requested by Washington Field Office to make the following examinations:

(1) Make a comparison of the typing appearing on Senator McCarthy's prepared statement of July 25, a copy of which is attached hereto and marked Exhibit #1, with the typing appearing on the "Exhibit" used by McCarthy, a copy of which is attached hereto and marked Exhibit #2, in an effort to determine whether these two documents were prepared on the same typewriter.

2 ENC. ENCLOSURE BEHIND FILE

(2) The Washington Field Office requested the Bureau to search its files for any typewritten letters from Senator McCarthy's office, and in the event such was found, make a comparison of the typing appearing thereon with that appearing upon Senator McCarthy's "Exhibit" attached hereto and labelled Exhibit #2.

121-41663-13

Sec-121-23278-190 (Handled Sep.) Bufile 121-23278-190 is a letter to the Director dated June 27, 1950 from Senator McCarthy. The original of this letter is attached hereto and marked Exhibit #3.

RECORDED - 32

121-23278-190

COPY AND SPECIMENS RETAINED IN LAB FOR LA... ...ORT

SEP 5 1950

HJP:ees

34

52 SEP 16 1950

(3) The Washington Field Office also requested the Bureau search its files for any typewritten communications from former Special Agent Donald Arthur Surine, who is now on Senator McCarthy's staff, and if found, make a comparison of the typing appearing thereon with that appearing on Senator McCarthy's "Exhibit", in an effort to determine whether this document was prepared on the typewriter used by Surine. However, an examination of Surine's personnel file reflects no communication from Surine subsequent to his termination of employment as a Special Agent on February 7, 1950.

An examination of Surine's personnel file reflects that he has been in contact with the Washington Field Office on several occasions recently, though it is not known whether such contacts were written or oral. The Washington Field Office is being requested to check its files for any typewritten communications from Surine, and if found, submit them to the Laboratory for the desired examination.

STATUS:

Pending.

RECOMMENDATION:

It is recommended that this memorandum with the attached Exhibits be forwarded to the Laboratory with the request that the desired examinations be made on an expedite basis, inasmuch as the deadline in this case has been set as August 10 next.

Enclosures (3)

REPORT
of the

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON D. C.

To: SAC, Washington Field

August 10, 1950

There follows the report of the FBI Laboratory on the examination of evidence received from your office on August 10, 1950.

Re: UNKNOWN SUBJECT
(Source of Senator JOSEPH R. McCARTHY's
Information Regarding Government Employees
REMOVAL OF GOVERNMENT PROPERTY
DISLOYALTY OF GOVERNMENT EMPLOYEES

RECORDED - 123

John Edgar Hoover, Director

YOUR FILE NO. 121-14939
FBI FILE NO. ~~121-23278~~
LAB. NO. D-120402 AF
D-120403 AF

Examination requested by: Washington Field

9-XE

Reference: Letter dated 8/9/50 and teletype dated 8/7/50

Examination requested: Document

Specimens:

D-120403 AF: Requested by Washington Field Office with teletype 8/7/50:

Q61 Photostatic copy of a seven-page statement by Senator McCarthy. (Your Exhibit #1)
Q62 Photostatic copy of an eleven-page Civil Service Commission Report of Investigation. (Your Exhibit #2)

K1 A typewritten letter from Senator Joseph McCarthy, dated June 27, 1950, and signed "Joe McCarthy." (Your Exhibit #3)

D-120402 AF: Submitted by Washington Field Office with letter dated 8/9/50:

K2 Three sheets of paper bearing known impressions of the date stamp taken from Ring 7.
K3 Two sheets of paper bearing known impressions of the date stamp taken from mail room. (old).
K4 Two sheets of paper bearing known impressions of the date stamp taken from mail room (new).

Results of Examination:

An examination of the photostatic copy of the seven-page statement by Senator McCarthy which has been designated as Q61 has resulted in the conclusion

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Sandy

52 SEP 15 1950

AUG 10 1950
COMM - FBI



WGB:cm

Continued next page

that three different typewriters were used in writing this statement. The top line of page 1 was written with a typewriter equipped with Remington Noiseless Elite Type. Page two of the statement was written with a typewriter equipped with Remington Noiseless Elite Type. Pages three, six and seven were written with a typewriter equipped with Remington Noiseless Elite Type which is different from the typewriter used to write page two. The balance of page one and pages four and five were written on a machine equipped with Royal Large Elite Type.

Specimen Qe2 was written with a typewriter equipped with Royal Large Elite Type.

Specimen K1 was written on a typewriter equipped with Royal Large Elite Type.

A comparison of the typewriting on pages one, four and five of Qe1, the typewriting on Qe2, and the typewriting on K1 has been made but it is not possible to reach a definite conclusion as to whether all of these specimens were written on one typewriter due to the fact that in the photostatic process, the detail of the typewriting on specimens Qe1 and Qe2 has been lost which makes the characteristics too indistinct upon which to base a definite conclusion.

A comparison of the rubber stamp impression on the first page of specimen Qe2 with the known rubber stamp impressions submitted and designated as K2 through K4 has resulted in the conclusion that the impression on Qe2 was not made from any of the rubber stamps used to make K2 through K4.

Specimens Qe1 and Qe2 and K2 through K4 are retained in the Laboratory's file. Specimen K1 is being returned to the Loyalty Section of the Security Investigative Division.

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: August 9, 1950

FROM : GUY HOTTEL, SAC, WASHINGTON FIELD

SUBJECT: UNSUB; (Source of Senator Joseph R. McCarthy's Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Att: FBI Laboratory

120402

Rebulet August 7, 1950.

Enclosed are specimen impressions of the only three date stamps in use by the Investigations Division, CSC, that in any way resemble the questioned specimen. It is noted that each of these three have definitely dissimilar characteristics from questioned specimen.

A review of representative file material from 1944 to date was made by CSC without disclosing any date stamp impression of earlier years which contained the notable characteristics of the questioned impression, namely, the single-line oval border, the straight-line type: RECEIVED, and the two border stars.

These facts would seem to suggest that no actual stamp was used in making the questioned impression, but that it was hand-drawn or traced from an original or variety of originals, or otherwise reproduced from non-genuine originals.

Enclosure

CWL:BGW
121-14939

121-41668-14

RECORDED - 123

SEP 5 1950

34

COPY AND SPECIMENS RETAINED IN LAB. FOR LAB. ACTION AND REPORT
8-10-50

FD-36

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

---

Transmit the following Teletype message to:

8-10-50

WASHINGTON FROM WASH FIELD 10 10;15 am

DIRECTOR URGENT

UNKNOWN SUBJ PAREN SOURCE OF SENATOR JOSEPH R. MC CARTHY'S INFO RE GOVT EMPLOYEES PAREN. REMOVAL OF GOVT PROPERTY. LGE.

SAAG CLIVE PALMER INTERVIEWED AT HIS OFFICE YESTERDAY EVENING. ADVISES THAT AFTER MC CARTHY'S STATEMENTS IN THE SENATE IN FEB OF THIS YEAR INDICATING HE HAD ACCESS TO LOYALTY FILE MATERIAL, PEYTON FORD INSTRUCTED PALMER TO CONDUCT AN INVES TO DETERMINE THE SOURCE OF THE LEAK. AT THAT TIME IT WAS THOUGHT TO BE AN ADMINIS MATTER NOT COGNIZABLE BY THE FBI. PALMER AND COL. HATCHER OF CSC THEREUPON COMMENCED AN EXTENSIVE INVES, INVOLVING PRINCIPALLY THE LOYALTY REVIEW BOARD AND CERTAIN MEMBERS OF ITS STAFF, BASED PRINCIPALLY ON THE FACT THAT AT ABOUT THIS TIME A CONFIDENTIAL INFORMANT, IDENTIFIED AS [redacted] APPROACHED PEYTON FORD BY WAY OF AAG MORISON AND A THIRD PARTY, WITH INFO INDICATING THAT THERE MIGHT BE A LEAK IN THE LRB, HIS PRINCIPAL SUSPECT BEING THOS. W. BEALE OF LRB. PALMER THEREUPON GOT TOGETHER WITH COL. HATCHER, BOTH OF THEM GOING TO HARRY MITCHELL PRES OF CSC, WHO IN TURN DIRECTED THEM TO L. A. MOYER OF CSC WHO HAD INFO INDICATING PREVIOUS SUSPICIONS OF SIMILAR ACTIVITY ON THE PART OF BEALE. PALMER AND HATCHER THEREAFTER CONTACTED SETH RICHARDSON WITH THEIR SUSPICIONS AND THROUGH HIS COOPERATION, PALMER, HATCHER, MOYER AND [redacted] OF LRB WHO WAS ACTING AS EXEC DIRECTOR IN MALOY'S ABSENCE, WENT THROUGH BEALE'S EFFECTS IN

b6
b7C

121-4663-15

CWL:MFL
121-14939

RECORDED - 123

INDEXED - 123

Sent 5 1950M Per

Approved: _____
Special Agent in Charge

EX-6

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

---

Transmit the following Teletype message to:

LRB OFFICE. ONE THING THOUGHT TO BE SIGNIFICANT FOUND IN BEALE'S EFFECTS WAS A CARBON COPY OF THE REPORT OF ONE HUNDRED EIGHT CASES, PREPARED BY ROBT. E. LEE ON THE HILL, WHICH PALMER RECOGNIZED TO BE IDENTICAL TO THE REPORT, A COPY OF WHICH HAS BEEN SENT BY THE BUR TO THE AG BY LETTER DATED JUN THREE, FORTYNINE ENTITLED [redacted] SECURITY MATTER DASH C. ONE OF [redacted] ACCUSATIONS CONCERNING BEALE INVOLVED THE LATTER'S MAILING SOME QUOTE EXPLOSIVE UNQUOTE MATERIAL TO CONGRESSMAN BUSBY SEVERAL YEARS AGO. HATCHER AND PALMER CHECKED THROUGH THE P.O. INSPECTORS AND ACTUALLY DISCOVERED A RECORD OF THE REGISTERED PACKAGE WHICH [redacted] SAW BEALE MAIL TO BUSBY SHOWING THAT IT EMANATED FROM BEALE AND REACHED BUSBY. PALMER AND HATCHER PREPARED AN EXTENSIVE CONFID MEMO TO THE CSC DTD JUN TWENTY, FIFTY ENTITLED REPORT OF INQUIRY CONCERNING ALLEGED UNAUTHORIZED RELEASE OF CONFID INFO. PALMER LOANED A COPY OF THIS RPT, AND IT IS PRESENTLY BEING REVIEWED IN CONNECTION WITH THIS INVES. ATTACHED TO THE RPT AS AN EXHIBIT WAS A PHOTOSTATIC COPY OF THE BOB LEE REPORT FOUND IN BEALE'S EFFECTS. PALMER ALSO LOANED A COPY OF A CONFID MEMO BY HIM TO PEYTON FORD FOR REVIEW FOR POSSIBLE LEADS. PALMER ADVISED THAT WHEN INSTANT MATERIAL WAS RELEASED BY MC CARTHY ON JUL TWENTYFIFTH PALMER, FORD, [redacted] HATCHER AND [redacted] AND NICHOLSON OF THE STATE DEPT CONFERRED TOGETHER AND MADE SOME PRELIMINARY INQUIRIES REGARDING THE NATURE AND SOURCE OF MC CARTHY'S MATERIAL WHEREUPON IT WAS DECIDED THAT THE MATTER WAS ONE PROPERLY FOR THE FBI AT WHICH TIME STEPS WERE TAKEN TO REQUEST THE PRESENT FBI INVES, SINCE THE MATTER WAS OBVIOUSLY OF A CRIMINAL RATHER THAN

b6
b7C

CWL:MFL
Approved:_____ Sent_____M Per_____
121-14939 Special Agent in Charge

FD-36

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

---

Transmit the following Teletype message to:

ADMINIS NATURE AT THAT POINT. PALMER OFFERED ALL COOPERATION STATING THAT AFTER A REVIEW OF HIS RPT OF THE PRIOR INVES CONDUCTED BY HATCHER AND HIM, IT MIGHT WELL BE THAT THE AGENTS WOULD HAVE SOME QUESTIONS AS TO MORE SPECIFIC DETAILS WHICH HE WOULD BE GLAD TO ANSWER. PALMER ALSO AGREED THAT IT WOULD BE PERMISSIBLE AND IN FACT DESIRABLE THAT [redacted] [redacted] INFT IN THE MATTER BE APPROACHED BY BUR AGENTS FOR FURTHER ELABORATION OF THE INFO WHICH HE FURNISHED. THE BUR IS REQUESTED TO ADVISE IF [redacted] MAY BE APPROACHED. INVES IS CONTINUING.

b6
b7C

HOTTEL

CWL:MFL
121-14939

Approved:_____ Sent_____M Per_____
Special Agent in Charge

SAC, Washington Field

August 10, 1950

Director, FBI

UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's
Information Regarding Government Employees)

RECORDED - 123

EX-C

Reurtel this date requesting advice as to whether [redacted] should be interviewed. [redacted] should not be approached under any circumstances by agents of your office. For your information, the data furnished your office in Tolet of August 7, last, concerning possibility that [redacted] was the "leak" in the Loyalty Review Board, was received from [redacted] All information in possession of [redacted] will be secured through Liaison channels and immediately furnished your office.

b6
b7C

Nolson
Tadd
Tegg
Tavin
Nichols
Rosen
Tracy
Carbo
Lohr
Tele. Room
Nease
Sandy

HJP:kmh

8-10-50

WASHINGTON FROM WASH FIELD 10 4P

DIRECTOR URGENT

UNKNOWN SUBJECT PAREN SOURCE OF SENATOR JOSEPH R. MC CARTHY'S INFO RE GOVT. EMPLOYEES PAREN. REMOVAL OF GOVT. PROPERTY. LGE. ASCERTAINED THAT SETH RICHARDSON, CHAIRMAN, LRB, PRESENTLY ON LEAVE, CAMPED IN THE WOODS SOMEWHERE OUTSIDE OF ELLSWORTH, MAINE, OUT OF TOUCH OF CIVILIZATION. EXPECTED TO RETURN IN ABOUT TWO WEEKS. BELIEVED HIS SECRETARY, WHO IS PRESENTLY UNAVAILABLE UNTIL LATE TODAY, MAY HAVE AN ADDRESS WHERE RICHARDSON MAY PICK UP MAIL, BUT NO OTHER MEANS OF LOCATION. ASCERTAINED THROUGH KIMBELL JOHNSON, CSC, THAT L. V. MELOY, EXEC. SEC., LRB, HAS BEEN VERY ILL, HAVING BEEN IN THE HOSPITAL FOR FIVE WEEKS, AND HOME FOR SEVERAL WEEKS. MELOY IS SUFFERING FROM CORONARY THROMBOSIS, AND IS DESCRIBED BY JOHNSON AS BEING IN PRETTY BAD SHAPE. JOHNSON SAYS MELOY IS CONSTANTLY IN BED, WITH EXCEPTION OF BRIEF INTERVALS WHEN HE STANDS ON HIS FEET FOR A FEW MINUTES AT A TIME. SAYS THE ONLY TELEPHONE IS NEAR MELOY'S BED AND THAT HE IS USUALLY UNABLE TO ANSWER PHONE. JOHNSON SAW MELOY ABOUT A WEEK AGO ON A SOCIAL CALL AND DETERMINED THAT ALTHOUGH JOHNSON AND HATCHER HAD NOT PLANNED INTERVIEWING MELOY SOON, THAT MELOY'S CONDITION WAS SUCH THAT THEY POSTPONED INDEFINITELY ANY THOUGHTS OF INTERVIEWING HIM. WHILE INTERVIEWS WITH RICHARDSON AND MELOY ARE DEEMED DEFINITELY DESIRABLE IN INSTANT INVESTIGATION, IT IS FELT

121-41663-16

RECORDED - 6

EX-105

SEP 5 1950

38 SEP 12 1950

CWL:EMS
121-14939

THAT MOST WILL BE GAINED FROM INTERVIEWING THESE MEN UNDER MORE FAVORABLE CIRCUMSTANCES THAN PRESENTLY EXIST, IN THAT THEY SHOULD HAVE THEIR FILES, NOTES AND ACCESS TO PERSONNEL AVAILABLE. THIS IS ESPECIALLY SO IN THE CASE OF MELOY, WHERE IT IS FELT THAT ANY INTERVIEW MIGHT WELL ENDANGER HIS HEALTH, AND WHERE IT IS FELT THAT HE MAY NOT BE AS MENTALLY ALERT AND VIGOROUS AS WHEN HE RECOVERS. WITH RESPECT TO THE REVIEW OF LRB FILES OR OTHER MATERIAL, IT IS FELT THAT DEALINGS SHOULD NOT BE HAD WITH ANY INFERIOR OFFICIALS AT LRB, SINCE THEY WOULD PROBABLY NOT FEEL FREE TO MAKE LRB MATERIAL FULLY AVAILABLE IN THE ABSENCE OF THEIR SUPERIORS. IT IS POINTED OUT THAT THE PERSON ACTING IN CHARGE AT LRB AT THE PRESENT TIME IS ONE [redacted] NEXT IN COMMAND TO MELOY, ALSO BEING ON SICK LEAVE FOR AN INDEFINITE PERIOD. NO INFORMATION IS KNOWN AS TO THE RELIABILITY AND AUTHORITY OF [redacted] IN VIEW OF THE ABOVE, NO INVESTIGATION AT THE LRB IS CONTEMPLATED UNTIL RICHARDSON OR MELOY BECOME AVAILABLE, PENDING ADVICE OF THE BUREAU.

b6
b7C

HOTTEL

# FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT Washington Field

FILE NO. 121-14939

| REPORT MADE AT | DATE WHEN MADE | PERIOD FOR WHICH MADE | REPORT MADE BY |
|---|---|---|---|
| Washington, D.C. | 8/10/50 | 7/8,9/50 | WILLIAM A. LEECE WAL:MB |

| TITLE | CHARACTER OF CASE |
|---|---|
| UNKNOWN SUBJECT (SOURCE OF SENATOR JOSEPH R. McCARTHYS INFORMATION REGARDING GOVERNMENT EMPLOYEES) | REMOVAL OF GOVERNMENT PROPERTY<br>LOYALTY OF GOVERNMENT EMPLOYEES |

SYNOPSIS OF FACTS:

Variations between text of McCARTHY'S "Exhibit" and text of Bureau loyalty reports re POSNIAK noted. Of particular significance is fact that "Exhibit" contains verbatim statement made by [redacted] to State Department Loyalty Board, which does not appear in Bureau reports. [redacted] statement has never been in files of Investigations Division, CSC. This factor together with statement by KIMBELL JOHNSON, Assistant Chief, Investigations Division, CSC, that files of Investigations Division, CSC contain no such document and the fact that CSC Investigations Division material is never set up in the typographical fashion of the McCARTHY "Exhibit" indicates that the "Exhibit" is not genuine and did not emanate from Investigations Division, CSC. Date stamp, "Copy" imprint and "Secret" stamp as appearing on McCARTHY "Exhibit" are not used by Investigations Division, CSC although date stamp appears to be attempt to duplicate genuine CSC Investigations Division stamp. Imprint specimens of CSC date stamps forwarded to FBI Laboratory for comparison purposes. The files of State Department reviewed and contained no replica of McCARTHY "Exhibit". POSNIAK file contains FBI reports and [redacted] statement as they appear in McCARTHY "Exhibit" except for certain variations in "Exhibit" as previously noted. POSNIAK file sent by State Department to Loyalty Review Board on December 15, 1948 and apparently reassembled by LRB personnel into four separate files, three of which contain duplicates of the original correspondence, the fourth containing incomplete correspondence. The FBI reports in two of these files, as assembled at LRB, are

b6
b7C

APPROVED AND FORWARDED: [signature] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

RECORDED - 45

INDEXED - 45

EX-100

COPIES OF THIS REPORT

3 - Bureau
2 - Washington Field

set up in the same order as the information appearing in McCARTHY's "Exhibit". McCARTHY's statement on July 25, 1950 indicates he had access to entire POSNIAK file.

b6
b7C

-P-

DETAILS: At Washington, D.C.:

This is a joint investigation of Special Agent [redacted] and the writer.

There is set forth below variations between the text of the "Exhibit" and the text of the Federal Bureau of Investigation reports which the "Exhibit" purports to represent. There are a few instances where the text of the "Exhibit" reflects a condensation or minor variations of the information appearing in the FBI report. Where this does not involve substantial information pertinent to the loyalty of POSNIAK or his wife, no reference is being made to these variations.

The following variations are noted as being of some interest:

| Report of Special Agent [redacted] July 6, 1948 at Washington, D.C. | Exhibit |
|---|---|
| Page 3, Paragraph 3: "Washington T-3, a member of the Communist Party who over a long period of time has furnished reliable information, stated that the United American Spanish Aid Committee in Washington, D.C. was completely controlled by the Communist Party but that the organization had no active membership and many of its members had no active association with the organization. He had no information concerning POSNIAK." | Page 2, Paragraph 2: "Previous FBI investigations indicate that United American Spanish Aid Committee was organized by Communist Party and completely controlled by it." |
| Page 3, Paragraph 4: "Washington T-4, a former member of the | Page 2, Paragraphs 3,4,5,6 and 7: "An FBI agent who joined the Communist |

Report of
Special Agent [redacted]
July 6, 1948 at Washington, D.C.
(Cont'd.)

"Communist Party who has furnished reliable information and who assisted in forming numerous front organizations for the Communist Party, stated that the United American Spanish Aid Committee in Washington, D.C. was organized and controlled by the Communist Party and that it was an important transmission belt of the Communist Party. He also recalled the employee as having been a member of this organization in the late 1930s. Washington T-4 advised that the employee's wife had been a member of the Communist Party both before and after her marriage to the employee. She formerly lived with [redacted] and the wife of BERNARD ADDES. They have maintained a close association with [redacted] an admitted member of the Communist Party. According to T-4, POSNIAK claimed to have been in the Communist Party in Europe and said his father had been a Trotskyite. POSNIAK came to a lot of 'open unit' meetings and to all recruiting meetings of the Communist Party from about 1938 to sometime in 1942. Washington T-4 stated that he has had no contact with POSNIAK since 1942 stating further that POSNIAK was horrified at the Russo-German Pact in 1939. His wife was formerly the secretary to DAVE LASSER of the Workers Alliance. T-4 stated that it was not known whether the employee has joined the Communist

Exhibit

"Party at the request of the Bureau in 1937 and was expelled from the Communist Party in 1948 and whose record as an informant was one of complete reliability, stated that ---- was a member of the Communist Party and personally known to him as such. The same informant advised that ---- wife, ---- had been a member of the Communist Party both before and after her marriage to ----. She formerly lived with ---- and the wife of BERNARD ADDES. They have maintained close association with ---- an admitted Communist Party member.

b6
b7C

"According to this informant ---- claimed to have been in the Communist Party in Europe and said his father had been a Trotskyite. ---- came to a lot of 'open unit' meetings and to all recruiting meetings of the Communist Party from 1938 to sometime in 1942. This informant said he had had no contact with ---- since 1942, stating further that ---- was horrified at the Russo-German Alliance in 1939.

"Another reliable FBI informant recalled ---- as a member of the Communist Party in the late 1930s.

"His wife ---- was formerly secretary to ---- of Workers Alliance. ---- was member of and active in

Report of
Special Agent [redacted]
July 6, 1948 at Washington, D.C.
(Cont'd.)

b6
b7C

"Party but it was his strong belief that he had. His wife was a member of and active in the Young Communist League before and for a while after she became a Communist Party member."

Page 3, last paragraph and top of Page 4:
"Washington T-4 further related that BERNARD ADES and his wife were associates of the employee in the late 1930s and these people were both members of the Communist Party and have been over a long period of time, stating that Mrs. ADES and Mrs. POSNIAK are long time friends and Mr. ADES ran for Governor of Maryland about 1934 on the Communist Party ticket. He has recently been named in the newspaper and by radio commentators as a well known communist who contributed $5,000 to the presidential campaign fund of HENRY WALLACE. (Through examination of the records of the campaign contributions at the Office of the Clerk of the Senate it was verified that BERNARD ADES contributed $5,000, February 8, 1948 to the campaign fund of HENRY WALLACE). Washington T-4 related that when Mrs. POSNIAK was secretary to DAVID LASSER of the Workers Alliance she was a Communist Party member and it was strongly believed that LASSER was also a member but his membership was never definitely established by the informant. He did state however that LASSER

Exhibit

"Communist League before and a while after she became a Communist Party member.

Page 2, last paragraph and top line of Page 3:
"A reliable informant said BERNARD ADDES and his wife were associates of ——— in the late 1930s and these people were both members of the Communist Party and have been over a long period. Mrs. ADDES and Mrs. ——— were long time friends. Mr. ADDES ran for Governor of Maryland about 1934 on Communist Party ticket. Recently named in paper and by radio commentators as well known communist who contributed $5,000 to the presidential campaign fund of WALLACE (verified through campaign records in Office of Clerk of Senate - contributed February 8, 1948). The same informant said that when Mrs. ——— was secretary to ——— she was a Communist Party member and it was strongly believed that ——— was also a member but his membership was never definitely established by informant. ——— however was a Communist sympathizer and propagated Communist principles and became quite friendly and associates with ——— through Mrs. ———."

b6
b7C

WFO 121-14939

Report of
Special Agent [redacted]
July 6, 1948 at Washington, D.C.
(Cont'd.)

"was a communist sympathizer and propagated the communist principles and became quite friendly with and associated with POSNIAK through Mrs. POSNIAK."

Page 4, Paragraph 2:
"Washington T-4 further informed that the employee was closely associated with [redacted] and [redacted] who are admitted members of the Communist Party."

Page 4, Paragraph 4:
"Washington T-2 advised that [redacted] was a member of the Communist Party and considered a very valuable member of this organization stating further that she openly admits membership in the Communist Party. This informant did not care to furnish a signed statement or appear before a Loyalty Hearing Board."

Page 7, Paragraph 3, last sentence only:
"There is no doubt of his loyalty, according to [redacted]

Page 8, Paragraph 1:
[redacted] Eastern European Division, Department of State, stated he has been working very closely with the employee recently on the question of trade relations with Russia and the satellite nations as to the policy this country should adopt regarding

Exhibit

Page 3, Paragraph 1:
"A confidential and reliable informant said ---- was closely associated with ----, ----, and ----, who are admitted Communist Party members."

Page 3, Paragraph 2:
"Mrs. ---- was found to have roomed with ---- who was considered by the Bureau, as the result of previous investigations, as a member of the Communist Party, and who also openly admits Communist Party membership."

Page 4, top paragraph, last sentence only:
"---- concluded by stating that he had no serious doubts as to ---- loyalty."

Page 6, first paragraph:
"----, Eastern European Division, Department of State, said he had been working very closely with ---- recently on the question of trade relations with Russia and the satellite nations as to the policy this country should take regarding exports to those countries. It has

WFO 121-14939

b6
b7C

Report of
Special Agent [redacted]
July 6, 1948 at Washington, D.C.
(Cont'd.)

"exports to those countries. It has been his observation that POSNIAK has constantly advocated a 'be soft policy' toward Russia and her satellite nations. [redacted] said that this could be consistent with the policy of a theoretical economist or it could be consistent with the Communist Party lines, however, there has been nothing to indicate the latter to be so. [redacted] volunteered that he could not see how anyone in touch with the situation could adopt such an attitude as the employee and because of his Russian ancestry he would be inclined to be very alert as to the question of POSNIAK'S loyalty. However he did not care to furnish a signed statement or appear before a Loyalty Hearing Board, stating that he did not know specifically whether the employee was disloyal or merely taking a theoretical viewpoint of his own of matters of foreign economic problems in Central Europe."

Page 8, Paragraph 3:
"BERNARD WILLIS, former resident manager, 1121 New Hampshire Ave., N.W. advised that POSNIAK formerly occupied an apartment at 1121 New Hampshire Avenue, N.W. about 10 years ago. He stated that he knew nothing reflecting on the employee's loyalty however he did recall an incident in which certain literature had been distributed in the apartment advocating some 'peace group' and someone whose identity he could not recall had told him that it was POSNIAK who distributed this literature."

Exhibit

"been his observation that ——— has constantly advocated a 'be soft policy' toward Russia and her satellite nations. ——— said this would be consistent with the Communist Party lines, however, there had been nothing to indicate the latter to be so. ——— volunteered that he could not see how anyone in touch with the situation could adopt such an attitude as the employee and because of his Russian ancestry he would be inclined to be very alert as to the question of ——— loyalty."

Page 6, Paragraph 3:
"———, a former resident manager of ——— Avenue, N.W. advised that ——— had lived there about ten years ago; and that he recalled that at this time there was some literature distributed in the building advocating some kind of 'peace group'. ——— stated that he recalled clearly that someone of the other tenants had advised him that this literature had been distributed by ———."

WFO 121-14939

Report of
Special Agent Claude E. Willis, Jr.,
June 28, 1948 at Richmond, Virginia

Pages 1 and 2:
"Richmond Confidential Informant T-1, who is believed reliable, furnished the following signed statement, and advised that she is willing to testify before the Loyalty Board, provided the informant's identity is not revealed to the employee:

"June 24, 1948. I make the following voluntary statement to Special Agent Claude E. Willis, Jr. who has identified himself to me as a Special Agent of the Federal Bureau of Investigation, United States Department of Justice.

"'As I remember Mr. Posniak when he lived in the Marcheta Apartment, 1121 New Hampshire Ave., N.W., Washington, D.C. in about 1939 and 1940 I would consider his actions to indicate that he was disloyal to the United States Government. Though about eight years have elapsed since my contact with Mr. Posniak, and my conception of the term 'Communist' and 'fellow traveler' may have been colored by present meanings of these terms, I feel that Mr. Posniak perhaps was and may be a 'Communist' or 'fellow traveler'. By 'Communist' I mean 'A group or groups to overthrow our Government or cause dissention or dissatisfaction with our way of Government or anyone who is loyal to the Russian Government.' By 'fellow-traveler', I mean 'A cover up group for the Communists who do their dirty work.' By 'dirty-work' I mean 'To pass out their literature or make contacts for them.'

Exhibit

Page 8:
"----- confidential informant who is believed reliable, furnished signed statement June 24, 1948, and advised that she is willing to testify before Loyalty Board provided her identity is not revealed to the employee.

"'As I remember Mr. ----- when he lived in the ----- Apartment, ----- New Hampshire Avenue, N.W., Washington, D.C., in about 1939 and 1940, I would consider his actions to indicate that he was disloyal to the United States Government. Though about 8 years have elapsed since my contact with Mr. -----, and my conception of the term 'Communist' and 'fellow traveler' may have been colored by present meanings of these terms, I feel that Mr. ----- perhaps was and may be a Communist or fellow traveler. By 'Communist' I mean 'A group of groups to overthrow our government or cause dissention or dissatisfaction with our way of Government or anyone who is loyal to the Russian Government.' By 'fellow traveler' I mean 'A coverup group for the Communists who do their dirty work.' By 'dirty work' I mean 'To pass out their literature or make contacts for them.'

"'During the time I saw Mr. ----- I observed him passing out literature in the lobby of the apartment for the ------- Group, which at that time I considered to be a group which were disloyal to the United States. I received one copy of these pamphlets. I cannot recall that it said anything of a disloyal nature however. I also recall that Mr. ----- put this literature

Report of
Special Agent Claude E. Willis, Jr.,
June 28, 1948 at Richmond, Virginia
(Cont'd.)

"'During the time I saw Mr. Posniak, I observed him passing out literature in the lobby of the apartment for the America First Group, which at that time, I considered to be a group which were disloyal to the United States. I received one copy of one of these pamphlets, but I can not remember any thing about it except that it said some thing about - 'preserving America for the Americans.' And I could not get anything out of the meaning of the pamphlet. I can not recall that it stated any thing that was of a disloyal nature how-ever. I also recall that other people in the apartment mentioned that Mr. Posniak put this literature under the doors of the apartments of the upper floors.

"'I do not recall whether the America First Group has been shown to be disloyal to the United States, but at that time I considered it to be a disloyal organization.

"'I believe Mr. Posniak was a member of the America First Organization. Because he tried to sell the principals of the Organization to two of the Elevator Operators which he intimated to the operators as being better than our American way. He frequently talked to them about their low pay, and long working hours. He seemed to me to be a fanatic on any thing pertaining to labor, to unions, to conditions under which Americans work, and the pay scales. This to me was an indication that Mr. Posniak might be a Communist.

Exhibit

"'under the doors of the apartments on the upper floors. I believe Mr. ——— was a member of the ——— Organization, because he tried to sell the principals of the organization to two of the elevator operators which he intimated to be operators as being better than our American way. He frequently talked about their low pay and long working hours. He seemed to me to be a fanatic on anything pertaining to labor, to unions, to conditions under which Americans work, and the pay scales. This to me was an indication that Mr. ——— might be a Communist.

"'Another reason which makes me think that he might be a Communist is that he gave out literature which I heard supported the Spanish Loyalists, which group I recall was supported by the Communists of Russia at that time. I know that Mr. ——— was receiving mail from Spain because ——————— Witness: Claude E. Willis.'"

WFO 121-14939

Report of
Special Agent Claude E. Willis, Jr.,
June 28, 1948 at Richmond, Virginia
(Cont'd.)

Exhibit

"'Another reason which makes me think that he might be a communist is that he gave out literature which I heard supported the Spanish Loyalists which group I recall, was supported by the Communists of Russia at that time. I know that Mr. Posniak was receiving mail from Spain because he gave Spanish stamps to my son, who was a stamp collector at that time.

"'I have read the above statement and it has been read to me. It consists of six pages written in my own hand writing. I have initialed all pages & mistakes made. All statements are true and correct to the best of my knowledge.

"'Witness: Claude E. Willis, Jr. Special Agent, Federal Bureau of Investigation, U. S. Department of Justice.'"

Report of
Special Agent Daniel J. McCarthy,
June 24, 1948 at Chicago, Illinois

Exhibit

Page 2:
"Mr. FRANK W. FETTER, Professor of Economics, Northwestern University, Evanston, Illinois, advised that he formerly headed the State Department's Division of Investment and Economic Development and in this capacity was the employee's supervisor. Mr. FETTER stated that he recalled that a 'whispering campaign' about the employee's loyalty had been rife

Page 9, first paragraph:
"Mr. ———, Professor of Economics, ——— University, Evanston, Illinois, ———
State Department's Division of Investment and Economic Development and was ———. He recalled that a 'whispering campaign' about ——— loyalty had been rife for a while in his

Report of
Special Agent Daniel J. McCarthy,
June 24, 1948 at Chicago, Illinois
(Cont'd.)

"for a while in his Division. He advised that he believed that the only basis for this 'whispering campaign' was the fact that employee was foreign born and consequently he took no notice of it. Mr. FETTER stated that he was of the opinion that the employee was loyal to the United States and knew of no organizations with which the employee was associated. He stated he felt Mr. POSNIAK'S work in the State Department was evidence of his loyalty to the United States."

Exhibit

"Division. He believed that the only basis for it was that ——— was foreign born. Mr. ——— expressed the opinion that ——— was loyal."

Report of
Special Agent Joseph M. Kelly,
June 11, 1948 at New York, New York

Page 1, Paragraph 1:
"LAZARUS I. ESTRIN, Vice President of the Irving Trust Company, 1 Wall Street, New York City, advised that he first met the employee in 1937 or 1938 when the latter immigrated to the United States from Europe. Mr. ESTRIN explained that his father-in-law had been very friendly with the employee's grandfather when both resided in Moscow, Russia; that the employee's family had been very wealthy but had lost all their property to the Soviets immediately after the 1917 revolution and had been forced to leave Russia shortly thereafter as refugees. Mr. ESTRIN mentioned that to the best of his knowledge the employee received most of his education in France and when he immigrated to this country in 1937 or 1938 he visited the ESTRIN home in New York City.

Exhibit

Page 10, Paragraphs 3 and 4:
"————————————, Vice President of the ——— Company, said he first met ——— in 1937 or 1938 when ——— immigrated to the United States from Europe. Mr. ——— father-in-law was friendly with ——— grandfather when both resided in Moscow. ——— family had been very wealthy but lost all property to the Soviets after the 1917 revolution and were forced to leave Russia as refugees. To the best of his knowledge ——— received most of his education in France and when ——— came to the United States, he visited the ——— home in New York City for a while. Mr. ——— has not seen ——— for four or five years. He recalled that ——— several times mentioned his

Report of
Special Agent Joseph M. Kelly,
June 11, 1948 at New York, New York
(Cont'd.)

"It was further learned from Mr. ESTRIN that he has not seen the employee for four or five years. He recalled that the employee several times mentioned his admiration for the United States and its system of government. Mr. ESTRIN stated that on the basis of his limited acquaintanceship with the employee he would describe him as 'definitely anti-communist' and emphasized that in view of the experiences of the employee's family at the hands of the Soviets, he would be greatly surprised if POSNIAK ever manifested any pro-communist sympathies. Mr. ESTRIN advised that to the best of his recollection the employee never resided in New York City. Mr. ESTRIN concluded by stating that he 'definitely' considered the employee loyal to the United States."

Exhibit

"admiration for the United States. On the basis of his limited acquaintance with ——— Mr. ——— considers ——— to be loyal to the United States."

b6
b7C

Report of
Special Agent [redacted]
July 6, 1948 at Washington, D.C.

Page 6, the last three paragraphs:
[redacted] Division of Investment and Economic Development, Department of State, said she has known and worked side by side with POSNIAK for the past two years and in her opinion there is no more loyal person in the Department. She said he has never done nor said anything to indicate the remotest possibility of any disloyalty. She also said she knew him socially as a friend and acquaintance of [redacted]

Exhibit

Page 11 - entire last page of "Exhibit":
"——————————— co-worker in the Division of Investment and Economic Development, European Division, Department of State, advised he had worked side by side ——— for the past two years and stated in his opinion there is not a more loyal person in the Department of State. However ——————————— advised that he also knows ——— socially as a friend and knows him to be an acquaintance of ———.

Report of
Special Agent [redacted]
July 6, 1948 at Washington, D.C.
(Cont'd.)

"During the course of a previous security investigation conducted by the Federal Bureau of Investigation in May, 1941, Washington T-5, of established reliability, advised that [redacted] is a member of the National Lawyers Guild and had been prior to 1937. New York Confidential Informant T-1, of known reliability, states that the Communist Party considers the National Lawyers Guild to be a working ally. The National Lawyers Guild was cited by the House Committee on Un-American Activities as a Communist front on March 29, 1944.

"Washington T-6, a former member of the Communist Party of established reliability who has furnished considerable information, advised that [redacted] is closely associated with BERNARD SCHUSTER and aware of SCHUSTER'S activities. Washington T-6 further stated that SCHUSTER is known as a Communist Party member under the name BERNARD CHESTER and has been engaged in Russian espionage over a long period of time and at one time he was active in recruiting espionage agents from the ranks of the Communist Party. Informant stated that [redacted] had aided SCHUSTER in many business transactions but he did not know whether [redacted] was a Communist Party member or whether he had ever aided SCHUSTER in any espionage activities. New York Confidential Informant T-2 advised that [redacted] was elected as general counsel of the International Workers Order on June 18, 1947. This organization has been declared by the Attorney General as coming within the purview of Executive Order 9835.

Exhibit

"During FBI investigation 1941 ——— was a member of the National Lawyers Guild; closely associated with ——— and ——— was thoroughly aware of ——— communist activity. ——— is known as a ——— member under the name of ——— and has been engaged in Russian espionage over a long period of time, and at one time was active in recruiting espionage agents from the ranks of the Communist Party." b6 b7C

WFO 121-14939

Mr. KIMBELL JOHNSON, Assistant Chief, Investigations Division, Civil Service Commission, has advised that Colonel JAMES E. HATCHER, Chief, Investigations Division, Civil Service Commission, is presently away from Washington and is not expected to return to this city for approximately two weeks.

Mr. JOHNSON has advised that in his capacity as Assistant Chief of the Investigations Division, and as one who is familiar with procedures and policies, he is certain that no such summary of the type reflected in the McCARTHY "Exhibit" has ever been prepared in the Investigations Division of the Civil Service Commission. He pointed out that in his experience with the Commission over a ten year period no summaries of information appearing in the files of the Civil Service Commission have ever been prepared and the Commission has in fact attempted no evaluation or review of reports received from the Federal Bureau of Investigation in loyalty matters. For the above reason, among others, he is certain that the "Exhibit" of Senator McCARTHY which was purported to have originated with the Civil Service Commission is not a genuine document of that agency and that he can state positively that no original or replica of the "Exhibit" has ever appeared in Civil Service Commission investigative files.

In the same connection, JOHNSON pointed to the following features of the "Exhibit" which would point conclusively to the fact that the document did not originate at the Civil Service Commission:

(1) Each page of the "Exhibit" is stamped "secret". In this connection JOHNSON pointed out that no Civil Service Commission correspondence of any kind is ever marked "secret" and he knows that the Investigations Division of the Civil Service Commission does not possess a "secret" stamp. He pointed out that the Commission usually uses the terminology "personal and confidential", and this is usually typewritten and not stamped.

(2) The "Exhibit" bears the heading: "United States Civil Service Commission"; "Investigations Position". JOHNSON pointed out that no Civil Service Commission correspondence is ever captioned in this manner. It was his feeling that "Investigations Position" was meant to be "Investigations Division".

(3) Each page of the "Exhibit" bears the stamp or imprint "copy". JOHNSON has never noted any Civil Service Commission correspondence stamped or imprinted in this manner.

(4) "Exhibit" bears the following caption:

(name deleted) Economist, Department of State
Investigation conducted by: Federal Bureau of Investigation
Distribution: Department of State, 3 copies
Report of FBI Special Agent [redacted] Washington, D.C., July 6, 1948.

b6
b7C

Mr. JOHNSON pointed out that such captions are never used by the Civil Service Commission and that even in those cases where some similar form of summary is prepared, captions of the nature appearing in the instant "Exhibit" are never used.

(5) Oval date stamp appears in upper left hand corner on page one of the "Exhibit". Mr. JOHNSON pointed out that if, in fact, such a summary were prepared by the Civil Service Commission, it would have originated within the Investigations Division and there would have been no occasion to stamp the document "received" as reflected in the "Exhibit".

(6) Lack of genuineness of oval date stamp as it appears on the "Exhibit". Mr. JOHNSON stated as follows in this connection:

There are three oval date stamps presently being used by the Civil Service Commission, two of which are located in the Mail Room and have single line oval borders. These stamps are used in connection with general correspondence (as distinguished from FBI material) received by the Investigations Division of the Civil Service Commission. The third stamp bears a multiple line oval border (fine - bold - fine), and bears two border stars, and is used in what is known as Wing Seven where all FBI correspondence is received and stamped in by Civil Service Commission personnel. Mr. JOHNSON also noted that the word "received" as it appears in the stamp on the "Exhibit" does not show the general contour of "United States Civil Service Commission", as istrue on all stamps used by the Civil Service Commission.

Imprint specimen of those date stamps presently being used by the Investigations Division, Civil Service Commission have been submitted to the FBI Laboratory for comparison with the questioned date stamp impression appearing on page one of the McCARTHY "Exhibit".

(7) Representation that the "Exhibit" is a "Report of Investigation". In this connection JOHNSON pointed out that if in fact a document of such a nature was ever prepared by the Civil Service Commission it would clearly be indicated to be a summary of FBI reports, rather than a Report of Investigation conducted by the FBI, or that in the alternative, as it were, a Report of Investigation prepared by the Civil Service Commission,

it would clearly be indicated to have been an investigation conducted by a named employee of the Civil Service Commission. In no case would the name of any individual, Special Agent of the FBI, be attributed to any such document.

Mr. JOHNSON made available the complete file relating to POSNIAK, as maintained by the Investigations Division, Civil Service Commission. It was noted that this file contained neither the [redacted] statement nor any FBI reports concerning the loyalty investigation of POSNIAK. It was noted, however, that this file did contain the following correspondence: b6 b7C

(1) A Bureau letter dated July 26, 1948 received at the Investigations Division, Civil Service Commission, on July 27, 1948 under which twelve FBI reports concerning POSNIAK were transmitted in quadruplicate.

(2) A letter dated August 2, 1948, directed by Colonel JAMES E. HATCHER to Mr. DONALD L. NICHOLSON, Security Division, State Department, transmitting copies of the above mentioned FBI reports in triplicate, a copy of which letter was directed to the Loyalty Review Board and under which one copy of each of the above mentioned reports was transmitted to that Board.

(3) A copy of the above mentioned letter by Colonel HATCHER containing a notation to the effect the reports had been received by Mr. NICHOLSON on August 5, 1948.

Mr. JOHNSON also advised that neither the original of the [redacted] statement nor copies thereof have ever been contained in the files of the Investigations Division of the Civil Service Commission. Mr. JOHNSON stated he had no information as to the existence of the [redacted] statement until July 25, 1950, when Senator McCARTHY made his "Exhibit" concerning POSNIAK public. On that date Mr. JOHNSON secured a copy of this "Exhibit" and at that time he noted the [redacted] statement as being contained therein. b6 b7C

It is noted that the "Exhibit" sets out the [redacted] statement verbatim and it is therefore significant to note that the [redacted] statement never was contained in the files of the Investigations Division, Civil Service Commission, although it is noted in a document purportedly emanating from that agency. b6 b7C

It is further significant to note that the [redacted] statement was apparently prepared on September 7, 1948 and delivered by [redacted] personally to [redacted] Legal Officer, State Department Loyalty Board, on September 8, 1948, and yet this letter appears verbatim in the b6 b7C

"Exhibit" which purports to have originated in the Investigations Division, Civil Service Commission, on September 10, 1948.

It is also noted that inquiries made at the Security Division, State Department reflected that the [redacted] statement had not left the possession of the State Department Loyalty Board on or prior to September 10, 1948 and that when the statement did leave the State Department it did not go, and never has gone to the Civil Service Commission, but rather to the Loyalty Review Board and then not until December 15, 1948. b6 b7C

On August 8, 1950, all State Department files relating to EDWARD G. POSNIAK, both personnel and security, were reviewed at the offices of the Security Division of that agency. As a result thereof it was determined that none of the files contain a copy of the "Exhibit" referred to previously. It was also determined that the security files relating to POSNIAK contained the original and one copy of a statement executed on September 7, 1948 by [redacted] [redacted] It was also noted that these files contained three copies of this statement but there is no indication that these copies were prepared by [redacted] b6 b7C

In this connection [redacted] Legal Officer, State Department Loyalty Board has advised that the State Department security file relating to POSNIAK, including the FBI loyalty reports, was forwarded to the State Department Loyalty Board by the Security Division of that agency on August 9, 1948. It was received in [redacted] office on August 11,1948. After reviewing the contents thereof, it was decided that [redacted] testimony to Special Agent [redacted] of the FBI relating to the loyalty of POSNIAK was pertinent and it was decided that she would be requested to elaborate on her comments concerning POSNIAK, which comments were made by her to Special Agent [redacted] during the latter's investigation of POSNIAK. This she agreed to do, and later delayed her statement personally to [redacted] in the latter's office. [redacted] does not recall the exact date of her statement but feels that September 7, 1948 is the correct date inasmuch as this date appears on the original bearing her signature. He also recalls that at the time he made the request of [redacted] she indicated she was quite busy because of problems attending her resignation from the State Department at about that time, and problems attending her new position at [redacted] [redacted] recalls that at the time [redacted] delivered her statement to him she was about ready to terminate at the State Department. b6 b7C

delivered

State Department records indicate that [redacted] did, in fact, resign on September 8, 1948. [redacted] further advised that upon receipt of the statement it was made a part of POSNIAK's file, for the consideration of the members of the State Department Loyalty Board then about to consider the POSNIAK case. He does not recall that copies of the statement were made, nor does his secretary, [redacted] Both [redacted] and [redacted] are b6 b7C

b6
b7C

prepared to swear under oath that the [redacted] statement was made available only to members of the State Department Loyalty Board and to no unauthorized persons.

[redacted] stated that on September 17, 1948, the Loyalty Board agreed that a hearing in the POSNIAK case should be set for October 12, but pointed out that the hearing was finally held on November 4th after the Department had agreed to several postponements at the requests of Mr. POSNIAK's counsel.

At this point it is pointed out that the security files concerning POSNIAK reflect that the members of the State Department Loyalty Board which considered the POSNIAK case on November 4, 1948, were:

Acting Chairman:
Members:

[redacted] Legal Officer

Mr. POSNIAK was represented by Attorney [redacted] of the firm of COVINGTON, BURLING, RUBLEE, ACHESON and SHORB.

Following the Hearing it was the majority opinion that EDWARD GEORGE POSNIAK "was not disloyal to the United States Government and did not constitute a security risk to the Department of State". A dissenting opinion was registered by [redacted] whose rationale went to the security aspect of the case and not to the loyalty of POSNIAK.

[redacted] has advised that the complete file concerning POSNIAK was returned by the State Department Loyalty Board to the Security Division of that agency on November 17, 1948 and that this was apparently the first time that the Security Division was aware of the existence of the statement.

In this connection, [redacted], Security Division, State Department, has advised that the Security Division was not aware of the existence of the [redacted] statement until this latter date, namely: November 17, 1948.

It was determined from a review of the POSNIAK file at the Security Division of the State Department that the file moved between the Security Division of the State Department and the Loyalty Review Board as follows:

(1) File sent to Loyalty Review Board, December 15, 1948.

(2) December 9, 1949 file returned to Loyalty Board of the State Department by Loyalty Review Board by memorandum containing rationale of members of the State Department Loyalty Board.

b6
b7C

(3) February 2, 1950 file sent back to Loyalty Review Board by State Department Loyalty Board with requested data.

(4) May 25, 1950, file returned to State Department by Loyalty Review Board; post audit not completed.

(5) June 9, 1950, miscellaneous papers, not returned with file on May 25, 1950, sent to State Department.

Of interest in this latter connection is a letter dated June 9, 1950, directed to Mr. DONALD L. NICHOLSON by [redacted] for Mr. SETH RICHARDSON, Chairman, Loyalty Review Board. In this regard, reference is made to the Loyalty Review Board letter of May 25, 1950, forwarding the State Department files concerning POSNIAK. The letter then goes on to state that at the time that the above files were forwarded to the State Department, a Loyalty Review Board panel member had not returned a summary of information in the POSNIAK case which had been sent to him by the Loyalty Review Board for use in studying the file in this case. Upon receipt of this summary from the panel member it was found that six pages in the State Department file on the case were stapled to such summary and these pages were forwarded by [redacted] for inclusion in the State Department file in the matter. These six pages included (1) the [redacted] statement and (2) a digest of information concerning POSNIAK as contained in the files of the Security Division and as prepared by [redacted] an employee of that division.

[redacted] has advised that it is the custom on occasions where files relating to a State Department employee are forwarded to the Loyalty Review Board for the latter's consideration, that the entire file is sent to the Loyalty Review Board in one folder. It is thereafter broken down by personnel at the Loyalty Review Board, and several folders are made up, all of which contain copies of each piece of correspondence appearing in the main file. This is done so that each member of the Loyalty Review Board panel considering the case will have access to all of the information available concerning the employee.

This was apparently done in the POSNIAK case, for the file, as it now appears in the Security Division of the State Department, is contained in folders which are so marked that [redacted] can state positively that they were not made up in the Security Division of the State Department.

In this connection the folders of which there are four are described as manila folders with a tab attached bearing notations respectively:

(A) "POSNIAK, EDWARD G. File No. One
(B) "POSNIAK, EDWARD G. File No. Two

(C) "POSNIAK, EDWARD G. File No. Three
(D) "POSNIAK, EDWARD G. File No. Four

Three folders are of legal size. The fourth folder, "D" is of ordinary letterhead size. The folder marked "C" above was noted to contain copies of certain of the same correspondence as appeared in the other folders but contained no FBI reports.

The fact that the State Department file was broken down and apparently reassembled at the Loyalty Review Board into separate folders as described above appears to be significant for the following reason:

Of the first three folders referred to, those referred to as "A" and "B" contain the FBI reports, in the same order as they are referred to in the McCARTHY "Exhibit" (report of Special Agent Norstrom is set out last).

In the same connection the folder referred to above as "D" contains the FBI reports in a varying order (report of Special Agent Norstrom is set out fourth).

It is pointed out that if in fact an employee of the Loyalty Review Board was the source of Senator McCARTHY's information it could have been the Loyalty Review Board employee with access to the folders referred to above as "A" and "B" and less likely the Loyalty Review Board employee having access to the folder referred to as "D" above.

The Bureau is advised that in the folders referred to above as "A" and "B" the FBI reports are set up in the following order:

Report of Special Agent Thomas A. Conroy, at Washington, D.C. dated July 6, 1948.
Report of Special Agent Claud E. Willis, Jr. at Richmond, Virginia, dated June 28, 1948.
Report of Special Agent Daniel J. McCarthy, at Chicago, Illinois, dated June 24, 1948. b6 b7C
Report of Special Agent Joseph M. Kelley at New York, dated June 28, 1948.
Report of Special Agent [redacted] at San Francisco, California, dated June 25, 1948.
Report of Special Agent [redacted] at New Haven, Connecticut dated June 28, 1948.
Report of Special Agent Joseph M. Kelly at New York, New York, dated June 11, 1948.

b6
b7C

WFO 121-14939

Report of Special Agent [redacted] at Miami, Florida, dated June 12, 1948.
Report of Special Agent James J. Kearney, at Detroit, Michigan, dated June 23, 1948.
Report of Special Agent Clarence W. Frye, at Philadelphia, Pa. dated June 29, 1948.
Report of Special Agent Arthur J. Norstrom, at St. Paul, Minnesota, dated July 7, 1948.

It is pointed out that the information contained in the McCARTHY "Exhibit" which has been taken from FBI loyalty reports concerning POSNIAK follows exactly the order of the FBI reports referred to above.

It is further pointed out that the folder referred to previously as "D" which was also utilized by the Loyalty Review Board contains the FBI reports in the following order:

Report of Special Agent [redacted] at Washington, D.C. dated July 6, 1948.
Report of Special Agent Claud E. Willis, Jr. at Richmond, Virginia, dated June 28, 1948.
Report of Special Agent Daniel J. McCarthy at Chicago, Illinois, dated June 24, 1948.
Report of Special Agent Arthur J. Norstrom at St. Paul, Minnesota dated July 7, 1948.
Report of Special Agent Joseph M. Kelley at New York, New York, dated June 28, 1948.
Report of Special Agent [redacted] at San Francisco, California, dated June 25, 1948.
Report of Special Agent [redacted] at New Haven, Connecticut dated June 28, 1948.
Report of Special Agent Joseph M. Kelly at New York, New York, dated June 11, 1948.
Report of Special Agent [redacted] at Miami, Florida, dated June 12, 1948.
Report of Special Agent James J. Kearney At Detroit, Michigan dated June 23, 1948.
Report of Special Agent Clarence W. Frye at Philadelphia, Pa. dated June 29, 1948.

The specific change in this order relates to the fact that the report of Special Agent Norstrom does not appear as the last report in the folder as was the case in folders "A" and "B".

b6
b7C

It is also noted that in the folder referred to above as "B" a typewritten copy of the [redacted] statement, apparently made at the Loyalty Review Board is inserted in the folder immediately adjacent to the FBI reports, whereas in the folder referred to above as "A" an original typewritten copy of the [redacted] statement appears in a different place in the file not immediately adjacent to the FBI reports, but separated from them by unrelated documents.

It is also noted that in a statement made on the floor of the United States Senate, July 25, 1950, Senator McCARTHY referred to the "173 page transcript" of the Hearing afforded POSNIAK by the State Department Loyalty Board as well as a letter directed by [redacted], Counsel for POSNIAK, to [redacted] Legal Officer, State Department Loyalty Board concerning the nature of the charges directed against POSNIAK by the State Department. It would therefore appear that Senator McCARTHY had access not only to the [redacted] statement and the FBI reports, but also to the entire file relating to POSNIAK.

- P E N D I N G -

WFO 121-14939

LEADS

WASHINGTON FIELD OFFICE

AT WASHINGTON, D.C.:

Will review information furnished by Mr. CLIVE PALMER, Special Assistant to the Attorney General concerning his prior investigation in this matter.

Interview SETH W. RICHARDSON, Chairman, Loyalty Review Board, and review any pertinent material appearing in the files of the Loyalty Review Board.

Secure information relating to the purchase of date stamps by the Civil Service Commission.

Continue the review of the State Department files concerning POSNIAK for evidence pointing to the fact that the McCARTHY "Exhibit" was prepared from any particular section of this file.

Interview Colonel JAMES E. HATCHER, Chief, Investigations Division, Civil Service Commission, upon his return to Washington.

Interview Mr. DONALD L. NICOLSON, Chief, Security Division, State Department, upon his return to Washington.

Report the results of the FBI Laboratory examination of the Civil Service Commission date stamped specimens.

Report results of the FBI Laboratory examination of comparison of typewriting specimens on McCARTHY "Exhibit" as well as his statement with any typewritten material emanating from McCARTHY's office or from former Special Agent Don Surine, contained in Bureau files.

REFERENCE: Bureau letter to WFO dated August 7, 1950.

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: August 10, 1950

FROM : GUY HOTTEL, SAC, Washington Field

SUBJECT: UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Rebulet August 7, 1950 and Washington Field Office report dated August 10, 1950.

In accordance with WFO tel August 9, 1950, investigation was held in abeyance pending Bureau advice regarding the prior investigation conducted by SAAG PALMER.

Mr. PALMER was interviewed the evening of August 9, 1950 as reflected in my tel this date. Subsequent to the review of the information received from PALMER, investigation is being commenced at the Loyalty Review Board, and will continue in the development of any logical leads, and accordingly is not included in reference WFO report. A report reflecting the results of this additional investigation will be submitted promptly upon completion.

Enclosure

RECORDED - 45 121-41663-17

INDEXED - 45

EX-100

SEP 5 1950

34

52 SEP 11 1950

121-14939
WAL:MB

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. LADD

DATE: August 10, 1950

FROM : A. H. BELMONT

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

b6
b7C

SUBJECT: UNKNOWN SUBJECT FURNISHING INFORMATION TO SENATOR MCCARTHY IN CONNECTION WITH LOYALTY CASES OF STATE DEPARTMENT EMPLOYEES

Re my memorandum dated August 8, 1950 which suggested that Supervisor [redacted] recontact [redacted] is a close personal friend to [redacted] and has previously furnished information in connection with the leak which is apparent in the Loyalty Review Board.

[redacted] contacted [redacted] on the night of August 8, 1950, and discussed with him the document which Senator McCarthy introduced during his recent Senate speech which document refers to the Posniak loyalty case. [redacted] believes the document is a forgery and still feels that Thomas Beale is the person in the Loyalty Review Board who is furnishing information to McCarthy.

[redacted] advised that he believes the document is a forgery for the following reasons:

1. The Civil Service Commission date stamp appearing thereon carries the date September 10, 1948, while on Page two of the document reference is made to the United American-Spanish Aid Committee which "(group cited by Attorney General)." [redacted] called attention to the fact that this group was not cited by the Attorney General until April 21, 1949, which was some seven months after this document supposedly was received in the Investigations Division of the Civil Service Commission.

2. [redacted] advised the Investigations Division of CSC could not have received this document and stamped it inasmuch as it contains the statement of [redacted] which statement was not taken until a hearing was held before the State Department Loyalty Board. After action by the State Department Loyalty Board the case would have been sent to the President's Loyalty Review Board and NOT back to the Investigations Division.

3. The Civil Service Commission does not utilize the stamp "Secret".

4. It was pointed out that in the heading of the document appears, "United States Civil Service Commission Investigations Position." [redacted] noted that this is an error

ESS:raw

121-41668-18

RECORDED - 84

INDEXED - 84

EX-13

SEP 5 1950

34

50 SEP 2

Source of Sen. Jos. R. McCarthy's Info. Re Govt. Employees

b6
b7C

inasmuch as it would be Investigations "Division." This, [redacted] stated, would appear to be a typographical error made while recopying from another document.

5. Distribution is not shown on official documents of the CSC in the manner shown on instant document.

6. In preparing an official summary in the CSC references are made to Bureau reports but not to name of the Agents writing the reports. The names of the Agents are of no interest in the official summaries of these cases.

7. The CSC does not use the "copy" paper such as was utilized in instant document. In this connection [redacted] advised he saw another copy of this document at the Loyalty Review Board and had noted the watermark was of an eagle of the type used on Senate stationery. He stated that this copy of the document to the best of his recollection was either an excellent mimeograph or was typed. [redacted] advised that he believes this document was prepared from another paper furnished by an informant inasmuch as it is [redacted] understanding that a number of copies of instant document have been circulated. [redacted] pointed out that an informant would in all probability furnish only one copy of an official document whereas McCarthy has passed out a number of these copies all apparently bearing the stamps referred to above.

Smith stated that in general the summary is the type of summary that was prepared on the 81 State Department cases which were sent back to the Loyalty Review Board by the President for review. He also stated that much of the language in the statement is very similar to the language manner of Thomas W. Beale [redacted] As you were previously advised, [redacted] has stated that possibly Thomas W. Beale was furnishing information to certain Republican Congressmen. [redacted] previously advised that McCarthy had issued statements in the Dorothy Keynon case which were apparently taken directly from a summary which had been prepared by Beale but which had not been furnished to the State Department.

[redacted] advised that in connection with the John Stewart Service case it was to be noted that McCarthy had made statements in the Senate which referred to a decision handed down by the Loyalty Review Board but which was not transmitted to the State Department for approximately six hours after Senator McCarthy made his speech. [redacted] stated Beale was extremely nervous and excited on that day. He advised that this again indicated that Senator McCarthy's source of information was within the President's Loyalty Review Board.

b6
b7C

[redacted] advised [redacted] that it is his opinion, which he cannot substantiate, that Senator McCarthy has the same type of information concerning each of the 81 State Department cases. [redacted] stated that the only person in his opinion who could be furnishing the information is Beale. [redacted] again pointed out that as far back as 1944 Beale was mixed up in this type of activity and that he has before and since that time made a practice of summarizing loyalty-type cases for a file which he himself keeps and which has no relation to his work with the CSC. In my previous memorandum I pointed out that [redacted] had advised that Beale spends a great amount of his time abstracting information from Bureau reports, reports from the House Committee on Un-American Activities and other sources on 3x5 cards which he cross-references for his own personal file.

[redacted] further stated that he had been advised in 1944 that Beale had in his home eight or ten file cabinets containing material and documents which he had obtained through his official position in the Civil Service Commission, and that these documents and summaries were cross-referenced in the card file which [redacted] maintains. [redacted] and for a number of months thereafter [redacted] where he first became acquainted with Supervisor [redacted] Prior to the time Beale's family moved to Dallas Beale was living in a rooming house in Dallas and on one occasion exhibited to [redacted] a stack of file summaries which Beale had prepared and which stack was approximately one foot high. [redacted] stated these summaries were apparently considered very important by Beale due to the fact that he had brought them to Dallas with him personally rather than shipping them with the rest of his material along with his household goods. [redacted] stated that when Beale was ready to move back to Washington he obtained a large number of dead-file boxes from the CSC supply room and packed his personal papers in these boxes.

[redacted] has previously pointed out that up until a short time ago Beale made a practice of carrying home with him his briefcase fully packed, although his work did not require that he do work at home at night. [redacted] advised Beale would leave the office five or ten minutes early with the packed briefcase and would return the following morning with the briefcase empty. He has further advised that in many instances Beale has sent files to the reproduction room in the Commission and had several photostatic copies made. When the files would be returned Beale would pull off two or three copies stating, "I want these for my personal file" and would give the rest of the copies to the person handling the case. In this connection Smith advised that Beale had full access to the 81 State Department cases at the time they were returned by the President to the Loyalty Review Board for review. It may be possible to check these requests through the photostat requisition slips.

b6
b7C

[redacted] has again stressed the fact that he has no animosity or professional jealousy toward Beale, but stated that he considers Beale to be a very staunch Republican who is a fanatic on the question of Communism. He further stated Beale is definitely convinced that the administration is not taking the appropriate steps to remove the Communists from Government service and that Beale is the type of person who derives a great amount of pleasure from being behind the scene in "big doings."

[redacted] stated that recently Mr. Palmer from the Department of Justice had attempted to make an investigation of the leak to Senator McCarthy and had questioned several of the individuals at the Loyalty Review Board. [redacted] at the request of an administration official with whom he is well acquainted, furnished on a confidential basis to Palmer some general information concerning Beale. Palmer questioned several of the individuals at the Review Board and was apparently to question Beale. Beale had departed for home late in the afternoon at the time Palmer finished talking to another employee. [redacted] advised that one of the employees had contacted Beale at his home that night and apparently advised him of the investigation by Palmer. The following day Beale was in the hospital with a heart attack. [redacted] pointed out, however, that Beale remained in the hospital a very short time and has since that time been at this home recuperating. He stated that in connection with these heart attacks it has been noted that Beale had a heart attack on each occasion when he began to get into trouble in the CSC. [redacted] advised that he has heard Beale state he will retire on disability. It was pointed out in this connection that Beale is presently 60 or 61 years of age and has only 13 years Government service, including time spent in the military service, and that his regular retirement would be $100 per month while disability retirement would be approximately $250 per month. Smith feels that Beale's heart attacks are of the "convenient" type and that he is laying the groundwork for disability retirement.

It was [redacted] opinion that Beale has in all probability had some of his friends clean out his desk in the Commission Office inasmuch as Palmer was making an investigation. It is [redacted] personal opinion, however, that Beale undoubtedly has in his home a vast amount of information which has been obtained through his official position and that in all probability the material will contain photostatic or actual copies of reports in the Commission's files.

He pointed out again, however, that he has no proof that Beale is the actual leak to Senator McCarthy or that Beale has the material in his home. He stated, however, that his close observation of the entire matter leads him to believe that Beale is furnishing material to McCarthy.

[redacted] has advised that while [redacted] who has constantly supported the administration he is, nevertheless an individual who is very security conscientious and who very keenly feels that any and all Communists in Government service should be eliminated from service. This feeling extends to fellow-travelers and sympathizers. [redacted] has advised [redacted] that he will assist in any manner possible in connection with instant inquiry. He has stated, however, that he desires that the information furnished to the Bureau by him through [redacted] be utilized in such manner as to protect the source. There is no objection to the information being placed in a report if it is properly covered and worded to protect [redacted] Such specific instances as the occasion on which Beale showed summaries to [redacted] should naturally not be included in any reports in this case.

b6
b7C

RECOMMENDATION:

It is recommended that this memorandum be referred to the Loyalty Section for information. In the event further information is desired from [redacted] a contact can be made by [redacted] on short notice.

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

DATE: August 10, 1950

FROM : A. H. Belmont

SUBJECT: UNKNOWN SUBJECT
(Source of Senator McCarthy's Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

b6
b7C

PURPOSE:

To recommend that this investigation be continued inasmuch as Mr. Clive Palmer of the Department has advised that the Department made an extensive investigation of the alleged "leak" in the Loyalty Review Board in February, 1950, but only made preliminary inquiries of present matter sufficient to enable themselves to decide that it was a matter for the FBI to handle. Also to instruct the Washington Field Office not to interview [redacted] in the present investigation.

BACKGROUND:

As you know, the Bureau, at the request of the Department is conducting a "Removal of Government Property" case in an effort to ascertain the source of the "Exhibit" which accompanied Senator Joseph R. McCarthy's press release and speech on the floor of the Senate on July 25 last concerning Edward G. Posniak.

By teletype dated August 9, 1950, the Washington Field Office advised that it had received information possibly indicating that the Department had conducted "extensive inquiries" into this matter.

On my instructions on August 9, 1950, Supervisor C. H. Stanley telephonically made an appointment with Mr. Clive Palmer of the Department for an interview by Agents of the Washington Field Office on the afternoon of August 9, 1950.

By teletype dated August 10, 1950, the Washington Field Office has now furnished the Bureau the results of the interview with Mr. Palmer.

Mr. Palmer advised that he had not conducted an "extensive inquiry" as to the source of Senator McCarthy's "Exhibit." He stated that when the "Exhibit" was released by Senator McCarthy on July 25, 1950, he, together with Messrs. Ford and McInerney of the Department, Col. James E. Hatcher of the CSC and Messrs. [redacted] and Nicholson of the State Department, held a conference concerning the matter. Some preliminary inquiries were made regarding the

Attachment

121-41668-19

HJP:kmh:mbf

RECORDED - 84 SEP 5 1950

34

EX-13

nature and source of Senator McCarthy's material, whereupon it was decided that the matter was properly one for the FBI. The FBI was then requested to conduct the present investigation. Mr. Palmer stated, however, that after Senator McCarthy's statements in February, 1950, he had, at Mr. Peyton Ford's instructions, and in cooperation with Colonel James E. Hatcher of the Civil Service Commission, conducted an extensive investigation as to a possible "leak" in the Loyalty Review Board.

b6
b7C

Mr. Palmer stated that his investigation in February, 1950, was based principally on information furnished by [redacted] furnished Mr. Palmer with information indicating that Thomas W. Beale, also Legal Advisor of the Loyalty Review Board, was possibly the individual who was "leaking" information to Senator McCarthy.

Mr. Palmer stated that through the cooperation of Mr. Seth W. Richardson he went through the effects of Beale at the Loyalty Review Board and found a carbon copy of the report on the 108 cases prepared by Mr. Bob Lee.

Mr. Palmer was most cooperative with the Washington Field Office agents, allowing them access to his file and loaned them copies of pertinent material in his file as sources of possible leads in the present investigation.

Mr. Palmer also advised the agents that it would be permissable for them to contact his source, [redacted] and in this regard the Washington Field Office requested advice as to whether [redacted] should be approached by agents of the Washington Field Office. Reference is made to my memorandum to you dated August 8, 1950, concerning this matter. This memorandum advised that [redacted] had previously furnished information to Supervisor [redacted] of the Bureau, on a very confidential basis concerning Beale, and recommended that the Bureau's contact with [redacted] be carried out through Supervisor [redacted] of the Liaison Section.

Supervisor [redacted] has since contacted [redacted] at which time he expressed the desire that he not be contacted except through Supervisor [redacted]

STATUS:

Pending.

RECOMMENDATIONS:

1. Inasmuch as Mr. Palmer has advised that the Department has conducted only necessary preliminary inquiries, it is recommended that this investigation be carried to its logical conclusion.

2. If you approve, there is attached hereto a teletype to the Washington Field Office instructing them not to interview [redacted] but advising them that [redacted] will be contacted through Liaison channels.

SAC, Washington Field

August 11, 1950

Director, FBI

UNKNOWN SUBJECT
(Source of Senator Joseph R.
McCarthy's Information
Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

b6
b7C

RECORDED - 84

ReBulet August 7, 1950, instituting investigation in this matter in which you were furnished information from a confidential informant indicating that one Thomas W. Beale, Legal Advisor to Loyalty Review Board, was possibly source from which Senator McCarthy secured the information contained in his "Exhibit".

Further reference is made to Bulet of August 10, 1950, in which this informant was identified as [redacted] You were instructed not to contact [redacted] inasmuch as he would be contacted through Liaison channels and all information furnished by him would be forwarded your office.

[redacted] has now been interviewed concerning the possible source of Senator McCarthy's "Exhibit". [redacted] believes the document is a forgery and still feels that Thomas Beale is the person in the Loyalty Review Board who is furnishing information to McCarthy.

[redacted] advised that he believes the document is a forgery for the following reasons:

1. The Civil Service Commission date stamp appearing thereon carries the date September 10, 1948, while on Page two of the document reference is made to the United American-Spanish Aid Committee which "(group cited by Attorney General)." [redacted] called attention to the fact that this group was not cited by the Attorney General until April 21, 1949, which was some seven months after this document supposedly was received in the Investigations Division of the Civil Service Commission.

2. [redacted] advised the Investigations Division of CSC could not have received this document and stamped it inasmuch as it contains the statement of [redacted] which statement was not taken until a hearing was held before the State Department Loyalty Board. After action by the State Department Loyalty Board the case would have been sent to the President's Loyalty Review Board and not back to the Investigations Division.

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room

HJP:ees

52 SEP 18 1950

MAILED 15
AUG 11 1950
COMM-FBI

b6
b7C

3. The Civil Service Commission does not utilize the stamp "Secret".

4. It was pointed out that in the heading of the document appears, "United States Civil Service Commission Investigations Position." [redacted] noted that this is an error inasmuch as it would be Investigations "Division." This, [redacted] stated, would appear to be a typographical error made while recopying from another document.

5. Distribution is not shown on official documents of the Civil Service Commission in the manner shown on instant document.

6. In preparing an official summary in the Civil Service Commission, references are made to Bureau reports but not to the names of the Agents writing the reports. The names of the Agents are of no interest in the official summaries of these cases.

7. The Civil Service Commission does not use the "copy" paper such as was utilized in instant document. In this connection [redacted] advised he saw another copy of this document at the Loyalty Review Board and had noted the watermark was of an eagle of the type used on Senate stationery. He stated that this copy of the document to the best of his recollection was either an excellent mimeograph or was typed. [redacted] advised that he believes this document was prepared from another paper furnished by an informant inasmuch as it is [redacted] understanding that a number of copies of instant document have been circulated. [redacted] pointed out that an informant would in all probability furnish only one copy of an official document whereas McCarthy has passed out a number of these copies all apparently bearing the stamps referred to above.

[redacted] stated that in general the summary is the type of summary that was prepared on the 81 State Department cases which were sent back to the Loyalty Review Board by the President for review. He also stated that much of the language in the statement is very similar to the language manner of Thomas W. Beale, [redacted] has stated that Thomas W. Beale had previously been suspected of furnishing information to certain Republican Congressmen. [redacted] previously advised that McCarthy had issued statements in the Dorothy Keynon case which were apparently taken directly from a summary which had been prepared by Beale but which had not been furnished to the State Department.

[redacted] advised that in connection with the John Stewart Service case it was to be noted that McCarthy had made statements in the Senate which referred to a decision handed down by the Loyalty Review Board but which was not transmitted to the State Department for approximately six hours after Senator McCarthy made his speech. [redacted] stated Beale was extremely nervous and excited on that day. He advised that this again indicated that Senator McCarthy's source of information was within the President's Loyalty Review Board.

[redacted] advised that it is his opinion, which he cannot substantiate, that Senator McCarthy has the same type of information concerning each of the 81 State Department cases. [redacted] stated that the only person in his opinion who could be furnishing the information is Beale. [redacted] again pointed out that as far back as 1944 Beale was mixed up in this type of activity and that he has before and since that time made a practice of summarizing loyalty-type cases for a file which he himself keeps and which has no relation to his work with the Civil Service Commission. [redacted] advised that Beale spends a great amount of his time abstracting information from Bureau reports, reports from the House Committee on Un-American Activities and other sources on 3x5 cards which he cross-references for his own personal file.

b6
b7C

[redacted] further stated that he had been advised in 1944 that Beale had in his home eight or ten file cabinets containing material and documents which he had obtained through his official position in the Civil Service Commission, and that these documents and summaries were cross-referenced in the card file which Beale maintains. [redacted] stated that [redacted] for a number of months thereafter [redacted] Prior to the time Beale's family moved to Dallas Beale was living in a rooming house in Dallas and on one occasion exhibited to [redacted] a stack of file summaries which Beale had prepared and which stack was approximately one foot high. [redacted] stated these summaries were apparently considered very important by Beale due to the fact that he had brought them to Dallas with him personally rather than shipping them with the rest of his material along with his household goods. [redacted] stated that when Beale was ready to move back to Washington he obtained a large number of dead-file boxes from the Civil Service Commission supply room and packed his personal papers in these boxes.

[redacted] pointed out that up until a short time ago Beale made a practice of carrying home with him his briefcase fully packed, although his work did not require that he do work at home at night. [redacted] advised Beale would leave the office five or ten minutes early with the packed briefcase and would return the following morning with the briefcase empty. He has further advised that in many instances Beale has sent files to the reproduction room in the Commission and had several photostatic copies made. When the files would be returned Beale would pull off two or three copies stating, "I want these for my personal file" and would give the rest of the copies to the person handling the case. In this connection [redacted] advised that Beale had full access to the 81 State Department cases at the time they were returned by the President to the Loyalty Review Board for review, and that it might be possible to check these requests through the photostat requisition slips.

[redacted] stressed the fact that he has no animosity or professional jealousy toward Beale, but stated that he considers Beale to be a very staunch Republican who is a fanatic on the question of C ommunism. He further stated Beale is definitely convinced that the administration is not taking the appropriate steps to remove the Communists from Government service and that Beale is the type of person who derives a great amount of pleasure from being behind the scene in "big doings."

[redacted] stated that recently Mr. Palmer from the Department of Justice had attempted to make an investigation of the leak to Senator McCarthy and had questioned several of the individuals at the Loyalty Review Board. [redacted] at the request of an administration official with whom he is well acquainted, furnished on a confidential basis to Palmer some general information concerning Beale. Palmer questioned several of the individuals at the Review Board and was apparently to question Beale. Beale had departed for home late in the afternoon at the time Palmer finished talking to another employee. [redacted] advised that one of the employees had contacted Beale at his home that night and apparently advised him of the investigation by Palmer. The following day Beale was in the hospital with a heart attack. [redacted] pointed out, however, that Beale remained in the hospital a very short time and has since that time been at this home recuperating. He stated that in connection with these heart attacks it has been noted that Beale had a heart attack on each occasion when he began to get into trouble in the Civil Service Commission. [redacted] advised that he has heard Beale stated he will retire on disability. It was pointed out in this connection that Beale is presently 60 or 61 years of age and has only 13 years Government service, including time spent in the military service, and that his regular retirement would be $100 per month while disability retirement would be approximately $250 per month. [redacted] feels that Beale's heart attacks are of the "convenient" type and that he is laying the groundwork for disability retirement.

b6
b7C

It was [redacted] opinion that Beale has in all probability had some of his friends clean out his desk in the Commission Office inasmuch as Palmer was making an investigation. It is [redacted] personal opinion, however, that Beale undoubtedly has in his home a vast amount of information which has been obtained through his official position and that in all probability the material will contain photostatic or actual copies of reports in the Commission's files.

He pointed out again, however, that he has no proof that Beale is the actual leak to Senator McCarthy or that Beale has the material in his home. He stated, however, that his close observation of the entire matter leads him to believe that Beale is furnishing material to McCarthy.

[redacted] has advised that he will assist in any manner possible in this case, but desires to be contacted only through Liaison channels. Should your office desire any further information from him, your request should, of course, be directed to the Bureau.

[redacted] has expressed the desire that under no circumstances is his identity to be made known. There is no objection, and in fact it is desired that the information coming from [redacted] be placed in your report, but it should be shown as coming from a confidential informant. This informant should be carefully covered so that no one will be able to determine his identity. In this regard, specific information such as the informant [redacted] which might reveal the identity of the informant, should be omitted.

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI Attention: FBI LABORATORY DATE: August 11, 1950

FROM : GUY HOTTEL, SAC, Washington Field

SUBJECT: UNKNOWN SUBJECT
(SOURCE OF SENATOR JOSEPH R. McCARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES
(BUFILE 121-23278)

Re FBI Laboratory report August 10, 1950.

With respect to specimens Qc1 and Qc2 which are both photostatic copies and your comments that it was not possible to reach a conclusion on comparison of the typewriting on Qc1, Qc2 and K1 because detail has been lost in photostating. There are submitted herewith the "originals" of identical material to that of which Qc1 and Qc2 are photostats. These were passed out on the Senate floor at the time of McCarthy's speech on July 25, 1950, and secured by an informant.

It is requested that the typewriting on each of these be compared with comparable typewriting on one another and on each with the typewriting on K1 to determine if a common typewriter was used in preparing any of the material.

It is also requested that full details be provided as to the type of reproduction process which was used in preparing the "Report of Investigation" including description of type of machine used, and whether any indication work done at Government Printing Office.

It is also requested that further examination of date stamp impression be made, with a view to determining how it was placed on document, whether from an actual rubber stamp, by tracing, by drafting with a copying stylus by free-hand drawing or any other such method.

It is also requested that it be determined if possible whether the imprint "COPY" was rubber-stamped, printed or otherwise placed on the paper.

It is also requested that the paper itself be examined for any indication as to source and availability.

Any other examination believed productive by the Laboratory as to the origin or manner of preparation of the "Report of Investigation" should be conducted.

This evidence should be returned to this office upon completion of the examination.

Enclosure:
CWL:ep
121-11939

RECORDED - 123 121-41668-20

~~121-23278-237~~

SEP 5 1950

52 SEP 15 1950

EX-6

34

FBI SACH FIELD 8-11-50 5 p.m.

DIRECTOR URGENT

UNSUB; (SOURCE OF SENATOR JOSEPH I. MC CARTHY'S INFORMATION REGARDING GOVT. EMPLOYEES), REMOVAL OF GOVT. PROPERTY, LGE. REBULET AUG SEVEN LAST, AND REP. OF SA WILLIAM A. LEECE DATED AUG TEN LAST. ON AUG ELEVEN, FIFTY, ALL FILES RELATING TO POSNIAK, PRESENTLY IN POSSESSION OF LRB, WERE REVIEWED. THESE FILES DO NOT CONTAIN A REPLICA OF THE MC CARTHY QUOTE EXHIBIT UNQUOTE NOR DID THEY CONTAIN ANY INFO INDICATIVE OF THE SOURCE OF MC CARTHY'S INFO. LRB RECORDS DO NOT REFLECT DATE OF ORIGINAL RECEIPT OF POSNIAK FILE. FILE DOES REFLECT THAT CASE ORIGINALLY PREPARED FOR POST - AUDIT ON DEC SEVEN, FORTYNINE, BY DR. C. L. COOMBS AND PRESENTED TO PANEL OF LRB, CONSISTING OF CHAIRMAN, DR. BURTON L. FRENCH, META GLASS, AND ARTHUR W. MAC MAHON. ON DEC NINE, FORTYNINE, LRB FORWARDED POSNIAK FILE TO STATE DEPT. WITH REQUEST THAT PANEL MEMBERS OF STATE LOYALTY BOARD FURNISH LRB WITH RATIONALE OF MEMBERS OF STATE LOYALTY BOARD, WHO HAD CONSIDERED POSNIAK CASE. ON FEB TWO, FIFTY, FILE RETURNED TO LRB AND THEREAFTER MAINTAINED IN OFFICE OF COL. GROVER C. DAVIS, CHIEF OF INSPECTION DIVISION, LRB, UNTIL APRIL SEVEN, FIFTY, WHEN IT WAS PLACED, WITH OTHER STATE DEPT. CASES, IN OFFICE OF INSPECTOR-EXAMINER COOMBS. ON MAY FOUR, FIFTY, COOMBS SENT FILE TO DR. FRENCH, CHAIRMAN OF LRB PANEL CONSIDERING POSNIAK CASE. FRENCH RETURNED FILE TO LRB ON MAY TWENTYFOUR, FIFTY, AT REQUEST OF LRB, WHICH DESIRED TO MAKE FILE AVAILABLE AT WHITE HOUSE FOR MEMBERS OF TYDINGS SUB COMMITTEE,

121-41668-21

RECORDED - 117

5 1950

PURSUANT TO A PRESIDENTIAL ORDER. ACCORDINGLY, FILE RETURNED TO STATE DEPT. BY LRB ON MAY TWENTYFIVE, FIFTY. DR. COOMBS ADVISES FILE MAINTAINED IN OFFICE OF COL. DAVIS FROM TIME OF ORIGINAL RECEIPT FROM STATE DEPT. UNTIL ABOUT OCT, FORTYNINE, WHEN COOMBS PREPARED HIS SUMMARY. STATE DEPT. RECORDS INDICATE FILE ORIGINALLY SENT LRB ON DEC FIFTEEN, FORTYEIGHT. WHILE PREPARING HIS SUMMARY, COOMBS MAINTAINED EHE FILE IN HIS OFFICE, AFTER WHICH IT WAS RETURNED TO OFFICE OF COL. DAVIS, TO AWAIT ACTION OF LRB ON DEC SEVEN, FORTYNINE. WHEN FILE RETURNED TO LRB BY STATE IN FEB, FIFTY, IT WAS MAINTAINED IN OFFICE OF COL. DAVIS UNTIL APR SEVEN, FIFTY. DURING THIS PERIOD COL. DAVIS ASSISTED BY [redacted] WHO LEFT WASH, DC, IN APR, FIFTY, TO JOIN HER HUSBAND IN FLORIDA, EXACT ADDRESS UNKNOWN. ON APR SEVEN, FIFTY, FILE TRANSFERRED TO OFFICE OF COOMBS. FROM THAT DATE UNTIL MAY TWENTYFIVE, FIFTY, WHEN FILE RETURNED TO STATE DEPT., EXCEPT FOR PERIOD MAY FOUR, FIFTY - MAY TWENTYFOUR, FIFTY, WHEN IN POSSESSION OF DR. FRENCH, COOMBS KEPT FILE UNDER LOCK AND KEY. HE STATES THAT IT WAS ESTABLISHED PROCEDURE TO LOCK FILE CABINETS AND PLACE KEY IN WOODEN WORKBOX USED FOR INCOMING MAIL AND LOCATED ON COOMBS' DESK. HE INDICATED THAT COL. DAVIS, L. V. MULOY, EXEC SECY, [redacted] ASST. EXEC. SECY, ALL KNEW WHERE TO FIND KEY IN EVENT COOMBS WAS ABSENT AND THEY HAD TO HAVE ACCESS TO FILES. COOMBS ALSO POINTED OUT THAT ONE [redacted] PRECEDED [redacted] WHO WAS IN TURN SUCCEEDED BY [redacted] PRESENTLY SERVING AS SECY. TO COL. DAVIS. COOMBS STATES THAT ONLY HE WORKED ON POSNIAK CASE AND ONLY HE, MULOY, AND COL. DAVIS HAD A LEGITIMATE INTEREST IN POSNIAK FILE. THERE APPEARS TO BE NO REASON TO QUESTION COOMBS' INTEGRITY,

b6
b7C

BOARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: August 11, 1950

FROM : C. H. STANLEY

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Hendon
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Holmes
Miss Gandy

SUBJECT: UNKNOWN SUBJECT (SOURCE OF SENATOR Jos. R. McCARTHY'S INFORMATION RE ~~EMPLOYEE~~ GOVT. EMPLOYEES
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

PURPOSE: To record telephonic instructions given to Washington Field Office yesterday regarding contact with Loyalty Review Board.

BACKGROUND: Supervisor Grampp, Washington Field Office, called Mr. Keay at 1:30 P.M. yesterday and advised him that they were preparing to start their investigation of the captioned matter at the Loyalty Review Board but had ascertained that Seth W. Richardson, Chairman of the Loyalty Board, was out of town and that L. V. Meloy, Executive Secretary of the Board, was sick; that [redacted] next in command, was also on sick leave and the person presently in charge was a minor official, [redacted] Washington Field wanted to know whether to contact [redacted] Mr. Keay instructed them at that time to ascertain where Seth W. Richardson actually was to determine whether he could be located for interview and, if so, to have him interviewed; to also ascertain what Meloy's condition was so a determination could be made as to whether he could possibly be interviewed. Subsequently a teletype was received from WFO at 4:39 P.M., advising that they had ascertained Richardson was on leave camped in the woods somewhere outside of Ellsworth, Maine, out of touch with civilization, and not expected to return for about two weeks; that L. V. Meloy was suffering from coronary thrombosis and was constantly in bed and not in any condition to be interviewed and that [redacted] was on sick leave for an indefinite period. WFO pointed out that it was felt dealings should not be had with any inferior officials at the Loyalty Review Board since they would probably not feel free to make material fully available in the absence of their superiors and that, further, no information was known as to the reliability and authority of [redacted] who was presently in charge of the Board in the absence of Richardson, Meloy and [redacted] WFO indicated that no investigation at the Loyalty Review Board was contemplated until Richardson or [redacted] became available pending advice from the Bureau.

b6
b7C

In view of the urgency of this investigation, the fact that there was every indication that neither Meloy nor Richardson would be available for interview for some period of time, and the absence of any information raising a question as to the reliability of [redacted] it was felt that we should not delay contact with the Loyalty Review Board and should contact [redacted] to determine whether he could make the necessary files available.

Accordingly, Mr. Keay called ASAC Fletcher of the Washington Field Office, referred to WFO's teletype mentioned above, and instructed WFO to contact [redacted] at the Loyalty Review Board for the purpose of determining whether

memo for Belmont 8-15-50

121-41668-22

NRJ:js

RECORDED 84
INDEXED - 84

52 SEP 18 1950

EX-13

SEP 5 1950

34

he could make the necessary files and material available in order that the investigation could proceed. WFO was instructed that the purpose of their contact with [redacted] would be solely to determine the availability of the necessary files and if [redacted] did not have authority to release the files to determine from him whose authority he would have to obtain to do so.

b6
b7C

RECOMMENDATION: It is noted that Seth W. Richardson some time ago communicated with the Bureau desiring an investigation of the so-called "leak" in the Loyalty Review Board which the Bureau refused to conduct and it is felt he would be a logical person to interview as to any suspicions he may have as to the identity of the unknown subject in this case. However, it is felt that the interview with Richardson should be conducted by the Washington Field Office since that office is completely familiar with the background of this investigation and, accordingly, it is recommended that we take no steps to try to locate Richardson in Maine and hold in abeyance any interview with him until he returns to Washington.

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: August 15, 1950

FROM : GUY HOTTEL, SAC, Washington Field

SUBJECT: UNKNOWN SUBJECT
(Source of Senator JOSEPH R. McCARTHY'S Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
IGE
(Bufile 121-23278)

Re WFO report of August 15, 1950.

Enclosed is a photostatic copy of the material furnished by SAAG PALMER, referred to in the administrative pages of refrep.

Enclosure
ENCLOSURE BEHIND FILE

ENCL 82 EX-13

121-14939
CWL:MB

121-41663-23

RECORDED - ~~121-23278-222~~

SEP 5 1950

34

EX-13

56 SEP 9 1950

REPORT of the FBI LABORATORY

# FEDERAL BUREAU OF INVESTIGATION
## WASHINGTON D. C.

To: SAC, Washington Field

August 15, 1950

There follows the report of the FBI Laboratory on the examination of evidence received from your office on August 14, 1950.

J. Edgar Hoover
John Edgar Hoover, Director

Re: UNKNOWN SUBJECT
CHARGES OF SENATOR JOSEPH R. McCARTHY'S
[illegible]
[illegible] OF GOVERNMENT EMPLOYEES
LOYALTY OF GOVERNMENT EMPLOYEES

YOUR FILE NO. 121-14957
FBI FILE NO. 121-23273
LAB. NO. D-120551 AF

Examination requested by: Washington Field

Reference: Letter dated 8/11/50

Examination requested: Document

Specimens:

Q1 A seven-page statement by Senator McCarthy.
Q2 An eleven-page Civil Service Commission Report of Investigation.

(Originals of Q1 and Q2 previously submitted)

Results of Examination:

Specimen Q1 is a mimeograph reproduction made from mimeograph stencils which have been cut on three different typewriters as previously outlined in Laboratory Report dated August 10, 1950, in this case. The paper measures 8½" by 14" and contains no watermark or other characteristic to identify its source.

Specimen Q2 is a reproduction made by the photolithographic process known as "multi-lith." The paper on which this reproduction has been printed measures 8" by 10½" and contains the government watermark. There is nothing on any of the pages which would indicate whether it was reproduced at the government printing office or at some other printing establishment using multi-lith machines.

121-41668-24

Because specimen Q2 is a lithographic copy made from an original, it cannot be determined whether the Civil Service Commission date stamp on the original was made from an actual rubber stamp or was made by some other process. It is

RECORDED - 127

Enclosure

Page 1

WB:cm

SEP 5 1950

Continued next page

likewise not possible to determine whether the word "copy" was placed on the pages of the original with a rubber stamp or was printed. It is observed, however, that which thin paper with the printed word "copy" such as appears on the sheets of specimen Q2 is readily obtainable.

A comparison of the typewriting on the specimens submitted and designated as Q1 and Q2 with the typewriting on the letter from Senator Joseph McCarthy which was previously submitted and designated as K1 has resulted in the conclusion that the typewriter used for pages one, four and five of Q1 and the typewriter used for Q2 is not the same typewriter which was used to typewrite K1. It has not been possible to reach a definite conclusion as to whether the typewriter used on pages one, four and five of Q1 was the same typewriter used on specimen Q2 due to the fact that specimen Q2 is a lithographic copy which obscures certain of the typewriting characteristics necessary in making a comparison.

Specimens Q1 and Q2 are returned herewith. No photographs of these copies have been made since photographs of the photostats previously submitted are retained in the Laboratory.

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: August 15, 1950

FROM : MR. L. L. LAUGHLIN

SUBJECT: UNKNOWN SUBJECT (SOURCE OF SENATOR Jos. R. McCARTHY'S INFORMATION RE ~~EMPLOYEE~~) Govt. Employees
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

In the absence of SAC Hottel and ASAC Fletcher, I called Supervisor Ed Grampp of the WFO and inquired concerning the status of this investigation.

Mr. Grampp advised that there are a number of leads which should be given investigative attention. I asked if it would be possible to complete the investigation today and Mr. Grampp replied that it would not; he presently has two men working full time, and will do everything within his power to bring the matter to a logical conclusion as rapidly as possible.

Mr. Grampp pointed out that the WFO has a possibility of obtaining specimens from a typewriter in the Congressional Hotel. He stated that he understands that some of Senator McCarthy's employees, and particularly former SA Don Surine, uses this particular room in the Congressional Hotel as an office. It may be possible to obtain specimens from this typewriter on August 15 through a source available to the WFO. If they are secured they will, of course, be submitted promptly to the FBI Laboratory for comparison with the copy of the document which has been obtained by the Bureau. Through this means it may be possible to show that the document as such is fraudulent and actually was prepared by one of Senator McCarthy's employees.

Mr. Grampp also pointed out that certain individuals who should be interviewed, such as Seth Richardson, L. V. Meloy, and [redacted] of the Loyalty Review Board, as well as Thomas Beale, are not available. Beale, who is a possible suspect, has been on sick leave since this inquiry was begun. b6 b7C

I told Mr. Grampp that the Bureau desired that this investigation be completed and a report submitted to the Bureau no later than the close of business, August 15, 1950. I informed him that instructions relative to the interviewing of the above-named individuals, who are not presently available, will be issued later if such interviews were desired, but that meanwhile the report of the WFO should not be held up.

121-41668-25

LLL:mer

RECORDED - 84
INDEXED

52 SEP 18 1950

EX-13

SEP 5 1950

34

# FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT WASHINGTON FIELD

FILE NO. 121-14939 ep:mm

| REPORT MADE AT | DATE WHEN MADE | PERIOD FOR WHICH MADE | REPORT MADE BY |
|---|---|---|---|
| WASHINGTON, D.C. | 8/15/50 | 8/10-15/50 | WILLIAM A. LEECE |

| TITLE | CHARACTER OF CASE |
|---|---|
| UNKNOWN SUBJECT; (Source of SENATOR JOSEPH R. McCARTHY's information regarding Government employees) | REMOVAL OF GOVERNMENT PROPERTY<br>LOYALTY OF GOVERNMENT EMPLOYEES |

SYNOPSIS OF FACTS:

POSNIAK file at Loyalty Review Board reviewed. "Exhibit" is not replica of anything contained therein. Movement of file between State Department and Loyalty Review Board, as well as conditions under which file maintained at Loyalty Review Board set forth. Information concerning THOMAS W. REALE, employee of Loyalty Review Board, set forth together with background information regarding certain associates employed in Security Division and Office of Personnel, State Department. Results of Laboratory examination set forth.

-C-

DETAILS: At Washington, D.C.:

This is a joint investigation of the writer and Special Agent [redacted] b6 b7C

Recd A.G. 8-16-50

APPROVED AND FORWARDED: Guy Hottel SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

121-41666 8-26

RECORDED - 19

INDEXED - 19

SEP 5 1950

31

COPIES OF THIS REPORT

7 - Bureau (121-23278)

2 - Washington Field

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED.

U. S. GOVERNMENT PRINTING OFFICE 16—59255-1

[redacted] Loyalty Review Board, was contacted on August 11, 1950. At that time [redacted] made available all files presently maintained by the Loyalty Review Board concerning EDWARD G. POSNIAK. It was noted that the McCARTHY "Exhibit" was not a replica of any document contained in the POSNIAK files, and none of the material contained therein gave any indication as to the source of Senator McCARTHY's information concerning POSNIAK.

b6
b7C

Dr. CYRIL L. COOMBS, Examiner-Inspector, Loyalty Review Board, was also interviewed and he advised that in his capacity as Examiner-Inspector, he was charged with the responsibility of preparing the POSNIAK case for post-audit by the Loyalty Review Board and the subsequent presentation of the case to a panel of the Loyalty Review Board. Dr. COOMBS stated that by reason of the above, it could be stated he handled the case for the Loyalty Review Board.

Dr. COOMBS stated that in discharging this responsibility he began by reviewing the FBI reports concerning POSNIAK, as well as the transcript of the Hearing afforded POSNIAK on November 4, 1948 by the State Department Loyalty Board and the affidavits executed by POSNIAK, his wife and their character witnesses. He stated that thenfollowing the preparation of his summary the case was presented to a panel of the Loyalty Review Board on December 7, 1949. This panel consisted of the following members:

Dr. BURTON L. FRENCH, Chairman
META GLASS
ARTHUR W. MacMAHON.

Following the consideration of the case they felt it necessary to request of the State Department that the panel members of the Loyalty Board of that agency furnish the Loyalty Review Board with the rationale of the various members upon which the original determination as to POSNIAK was made. This request was made of the State Department by letter dated December 9, 1949, at which time all files concerning POSNIAK were returned to the State Department.

On February 2, 1950, the State Department returned the POSNIAK file to the Loyalty Review Board together with the rationale of the members of the State Department Loyalty Board.

An attempt was thereafter made to complete the post-audit by the same panel at the Loyalty Review Board which had originally considered the case. This was not possible prior to a meeting of the members of the Loyalty Review Board on April 3, 1950, called for the purpose of considering a request by the President that the Loyalty Review Board consider the loyalty of various individuals referred to by Senator McCARTHY. Since the Loyalty Review Board voted to review

the cases in accordance with the President's request, Dr. MacMAHON decided to disqualify himself from hearing the POSNIAK case again feeling that this case should come in under consideration with all of the other cases which the Loyalty Review Board proposed to study for the President.

Accordingly, the POSNIAK case was one of several which were prepared and sent out to various panels pursuant to the President's request. Since Dr. MacMAHON had disqualified himself from participation in this program the POSNIAK case was sent to a new panel made up of the following members:

Dr. BURTON L. FRENCH, Chairman
Dr. LEONARD O. WHITE
[redacted]

b6
b7C

Dr. COOMBS stated that because of the number of cases involved, officials of the Loyalty Review Board decided to forward the entire file in each case to the various panel chairmen, who were in turn to forward the file to other panel members following their consideration of the case.

The POSNIAK file was accordingly directed to Dr. FRENCH at Oxford, Ohio, on May 4, 1950, but recalled shortly thereafter when it was decided that the members of the TYDINGS Subcommittee would be permitted to review the files at the White House. On May 25, 1950 the file was returned to the State Department and as of this date the post-audit of the POSNIAK case has not been completed by the Loyalty Review Board.

Dr. COOMBS has advised that the records of the Loyalty Review Board do not reflect the date of the original receipt of the POSNIAK file by the Loyalty Review Board from the State Department. It is noted in this connection, however, that State Department records indicate that the file was originally sent to the Loyalty Review Board on December 15, 1948.

Dr. COOMBS stated it is normal procedure at the Loyalty Review Board for files to go directly to the Office of Colonel GROVER DAVIS, Chief of the Inspections Division, Loyalty Review Board, where they are maintained until such time as an Examiner-Inspector calls for the file for the purpose of preparing the case for post-audit.

Dr. COOMBS recalls that he did not call for the POSNIAK file until about October, 1949 at which time he prepared a summary of the case and returned the file to the office of Colonel DAVIS, where it was maintained until December 7, 1949 when the case was originally considered by a panel of the Loyalty Review Board. During the period that Dr. COOMBS used the file for the preparation of his summary he maintained it in his desk.

WFO 121-14939

As was noted previously, the POSNIAK file was returned to the State Department on December 9, 1949 with a request for a rationale and was not thereafter returned to the Loyalty Review Board until February 2, 1950. Dr. COOMBS has advised that from this latter date until April 7, 1950, the file was maintained in the office of Colonel DAVIS. On this latter date Dr. COOMBS was assigned by the Loyalty Review Board to review the so-called "eighty-one cases", and he insisted that since the cases were his responsibility, he should be allowed to maintain the files relating thereto in his office.

Dr. COOMBS stated that because of the sensitive nature of the cases he attempted to establish a maximum security for the files and from April 7, 1950, until May 25, 1950, except for the period May 4, 1950 to May 24, 1950, during which time Dr. FRENCH had the file, he maintained it under lock and key.

In this connection Dr. COOMBS advised that a procedure had been agreed upon among themselves, Colonel DAVIS, L.V. MELOY, Executive Secretary, and [redacted] as to the maintenance of the key fitting the cabinets in which the POSNIAK file among others was maintained. This agreed procedure was felt necessary so that in Dr. COOMBS' absence, the files would be available to the other individuals, who were the only employees of the Loyalty Review Board who had a legitimate interest in the POSNIAK file. Under this procedure it was agreed that COOMBS would keep the file cabinets locked when not in use, and that at such times when he was not in the office, the key would be maintained in his "incoming work box" which was kept on the top of his desk. Dr. COOMBS was unable to state that no other employees of the Loyalty Review Board knew where the key was maintained and there is no evidence that other employees of the Loyalty Review Board were not aware of this procedure concerning the maintenance of the key.

b6
b7C

Dr. COOMBS stated the only other individuals at the Loyalty Review Board having a legitimate interest in the POSNIAK file, among others maintained in the office of Colonel DAVIS, were the three women who have served Colonel DAVIS in a clerical capacity. He identified these women as follows:

[redacted] (reported as having served Colonel Davis until approximately February, 1950)
[redacted] (reported to have worked for Colonel Davis during February and March, 1950)
[redacted] (reported as having worked under Colonel Davis from March, 1950 to date).

Dr. COOMBS stated it has been his experience in handling State Department cases which come to the Loyalty Review Board for post-audit purposes, that the file, including the transcript of the Hearing and accompanying affidavits

is transmitted to the Loyalty Review Board in one large folder and is not usually broken down into separate files, consisting of duplicate copies of pertinent correspondence or reports for the use of the various panel members of the Loyalty Review Board considering the case. He recalls that the POSNIAK file was received by the Loyalty Review Board in one large folder. After preparing a summary, Dr. COOMBS then reviewed the file and extracted copies of FBI reports and other pertinent material for the purpose of making up three complete files for the simultaneous consideration of the panel members interested in the case. He stated that he is certain that these files were not placed in legal size folders marked "POSNIAK, EDWARD G. File Number One, File Number Two and File Number Three", respectively as was reported earlier. He pointed out that as a matter of fact the Loyalty Review Board does not use legal size folders and does not maintain this type of folders in its inventory.

This is pointed out here inasmuch as it was considered significant that the POSNIAK file as it exists today in the State Department is broken down into separate files, as described previously, and in two of these folders the FBI reports are maintained in exactly the same order as the information concerning POSNIAK set forth in the McCARTHY "Exhibit". It is noted, however, that in addition to the FBI reports, the Senator also made reference in his statement concerning POSNIAK on July 25, 1950 to the letter written by Attorney [redacted] Counsel for POSNIAK, to [redacted] Legal Officer, State Department Loyalty Board. It is noted that the [redacted] letter appears only in that section of the State Department file concerning POSNIAK wherein the FBI reports are not in the order as the information presented by Senator McCARTHY. It could be assumed that if Senator McCARTHY received all of the information concerning POSNIAK at the same time, it would probably be at the time the POSNIAK file was intact and not maintained in separate sections.

b6
b7C

In connection with the above related information concerning the whereabouts of POSNIAK file by date, it is to be noted that on March 20, 1950, one DONALD SURINE of Senator McCARTHY's staff had in his possession a document which satisfies the description of the McCARTHY "Exhibit" and which SURINE described as containing information which would be used to expose POSNIAK. This would apparently indicate that the information was obtained from the POSNIAK file at sometime shortly prior to that date. It will be noted that the POSNIAK file was maintained in the office of Colonel GROVER DAVIS at the Loyalty Review Board from February 2, 1950 until April 7, 1950.

Washington T-1 an informant of unknown reliability but who is well acquainted with THOMAS W. BEALE, a Legal Adviser at the Loyalty Review Board, has advised that he feels that BEALE is furnishing information to Senator McCARTHY. The informant has also advised that he believes the McCARTHY "Exhibit" to be a forgery, for the following reasons:

1. The Civil Service Commission date stamp appearing on the "Exhibit" carries the date September 10, 1948, while on page two of the "Exhibit", reference is made to the United American-Spanish Aid Committee, which is "group cited by the Attorney General"). The informant called attention to the fact that this group was not cited by the Attorney General until April 21, 1949 which was some seven months after this document was said to have been received in the Investigations Division of the Civil Service Commission.

2. The informant advised that the Investigations Division of the Civil Service Commission could not have received this document and stamped it inasmuch as it contains the statement of [redacted] which statement was not taken until a hearing was held before the State Department Loyalty Board. After action by the State Department Loyalty Board the case would have been sent to the President's Loyalty Review Board and not back to the Investigations Division of the Civil Service Commission. b6 b7C

3. The Civil Service Commission does not utilize the stamp "secret".

4. The heading of the "Exhibit" is set out as "United States Civil Service Commission" and under that "Investigations Position". The informant stated that this is an error inasmuch as it should be "Investigations Division". This, the informant stated, would appear to be a typographical error made while recopying from another document.

5. Distribution is not shown on official documents of the Civil Service Commission in the manner shown on the "Exhibit".

6. In preparing an official summary in the Civil Service Commission, references are made to FBI reports, but not to the names of the Special Agents writing the reports. The informant pointed out that the names of the agents are of no interest in the official summaries of these cases.

7. The Civil Service Commission does not use the "copying" paper such as was utilized in the "Exhibit". In this connection the informant advised that he has seen a copy of the "Exhibit" and noted that the watermark was of an eagle, of the type used on Senate stationery. He stated that this copy of the document to the best of his recollection was either an excellent mimeograph or was typed. He believes that this document was prepared from another paper furnished by an informant inasmuch as it is Washington T-1's understanding that a number of copies of the "Exhibit" have been circulated. He pointed out that an informant would in all probability furnish only one

copy of an official document whereas Senator McCARTHY has passed out a number of these copies all apparently bearing the stamps referred to above.

The informant has advised that Mr. THOMAS W. BEALE has previously been suspected of furnishing information to certain Republican Congressmen. The informant also stated that in connection with the JOHN STEWART SERVICE case, it was to be noted that Senator McCARTHY had made statements in the Senate which referred to a decision handed down by the Loyalty Review Board, but which decision was not transmitted to the State Department for approximately six hours after Senator McCARTHY made his speech. The informant stated that this indicated to him that Senator McCARTHY's source of information was within the President's Loyalty Review Board.

The informant advised that it is his opinion, which he cannot substantiate, that Senator McCARTHY has the same type of information concerning each of the eighty one State Department cases. It is his opinion that the only person who could be furnishing the information is BEALE. The informant pointed out that he had heard that as far back as 1944 BEALE was mixed up in this type of activity and he has also heard that BEALE, both before and since that time, has made a practice of summarizing loyalty type cases for a file which he himself keeps and which has no apparent relation to his work with the Civil Service Commission. Informant further advised that he has also heard that BEALE spends a great amount of his time extracting information from FBI reports, reports from the House Committee on Un-American Activities, and other sources, which he places on 3" x 5" cards and which he cross references for his own personal file.

The informant further advised that he had been told in 1944 that BEALE had in his home eight or ten file cabinets containing material and documents which he had obtained through his official position with the Civil Service Commission and that these documents and summaries were cross referenced in the card file which BEALE maintains.

The informant pointed out that he has learned that up until a short time ago BEALE made a practice of carrying home with him a brief case, fully packed, although his work is not said to require that he do work at his home in the evening. Informant stated that he has also learned that upon BEALE's return to work the following morning the brief case was noted to have been emptied. The informant has also learned that BEALE, on occasions, has had photostatic copies made by the Civil Service Commission of files maintained at the Loyalty Review Board, and later kept several of the copies for his own personal file.

The informant stated that he feels that BEALE is fanatical on the subject of Communism and is one who feels that the government is not taking the appropriate steps to remove the Communists from the government service.

The informant has also advised that on each occasion that BEALE has found himself in trouble with the Civil Service Commission, that he has suffered what the informant believes are the "convenient type" of heart attacks. In this connection the informant pointed out that the day following the initiation of the present investigation, BEALE suffered one of his heart attacks and was in the hospital for a short time but has since been at home recuperating.

It is the informant's opinion that BEALE undoubtedly has in his home a vast amount of information which he has obtained by reason of his official position and the informant feels that in all probability this material includes photostatic or actual copies of reports in the files of the Civil Service Commission.

The informant concluded by stating that he has no actual proof that BEALE is the actual leak to Senator McCARTHY, or that BEALE has such material in his home. It is his opinion, however, based on a close observation of the matter, that BEALE is furnishing material to Senator McCARTHY.

Washington T-1 has also advised that just prior to Senator McCARTHY's first speech, earlier this year, calling attention to the question of Communism in the government, a meeting was held at the home of one [redacted] by a group known to him as the "Red Baiters Club" and at this meeting the question of Communism in the State Department was discussed. Those present at the meeting, according to the informant, include the following: b6 b7C

1. [redacted] (formerly employed by the State Department, now with ECA)
2. BEALE, Loyalty Review Board
3. [redacted] State Department
4. [redacted] House Civil Service Committee
5. [redacted] ECA
6. ALBERT W. BUYNITZKY, State Department
7. JOHN H. FINLATOR, State Department
8. [redacted] AEC
9. [redacted] National Security Resources Board
10. [redacted] Federal Reserve
11. [redacted] Internal Revenue.

WFO-121-14939

Washington T-2, an informant of known reliability, has advised that THOMAS W. BEALE also maintains contact with the following individuals although the informant could not advise as to the nature or extent of this contact:

One [redacted]
One [redacted]
One [redacted]
One [redacted] Department of Justice.
One [redacted] Agriculture.
One FINLATER, State Department.
One [redacted] Veterans Administration.
One [redacted] Office of Secretary of Defense.
One [redacted] Bureau of Internal Revenue.
One [redacted] Government Printing Office.
One [redacted] American Federation of Government Employees.
One [redacted] I & N.
One [redacted] Department of Justice.
One [redacted] Department of Justice.
One [redacted]
One [redacted] House Committee on Un-American Activities.
One [redacted] House Civil Service Committee.
One [redacted] Social Security Administration.
One [redacted] Department of Justice.
One [redacted] NLRB.
One [redacted] House Committee on Un-American Activities.
One [redacted] United States Public Health Service.
One [redacted] FHA.
One [redacted] Department of Commerce.
One [redacted] Federal Security Agency.
One [redacted] Department of Commerce.
One [redacted] Veterans Administration.
One [redacted] Federal Reserve Board.
One [redacted] Department of Justice.
One [redacted] WAA.

b6
b7C

It will be noted that among BEALE's associates in the so-called "Red Baiters Club", referred to previously, GEORGE MOORE of the House Civil Service Committee, JOHN H. FINLATOR, Office of Personnel, State Department, and [redacted] Bureau of Internal Revenue, were all referred to by Washington T-2 as contacts of BEALE, and in addition it would appear that the [redacted] referred to by Washington T-2 refers to [redacted] who was associated with BEALE in the "Red Baiters Club." b6 b7C

It is also interesting to note that among the individuals referred to by Washington T-1 as associates of BEALE in the "Red Baiters Club", the State Department files indicate that [redacted] and ALBERT W. BUYNITZKY are and have been employed for several years past as Special Agents with the Security Division of the State Department. In the same connection JOHN H. FINLATOR was similarly employed as a Special Agent in the Security Division of the State Department from September, 1945, until December, 1949, at which time he was transferred to the Office of Personnel in the State Department where he is presently serving as Administrative Officer.

State Department records concerning the three abovementioned individuals reflect the following information:

ALBERT WILLING BUYNITZKY.
Residence: 1100 South Barton Street, Arlington, Virginia, Apartment 287.
Business Telephone: Republic 5600, Extension 3079.
Residence Telephone: CH-7500, Extension 287.
BUYNITZKY was born on May 6, 1907, at Washington, D. C., and has been employed as follows:

April, 1926 -- March, 1935 -- Investigator and Reportor, Stone's Mercantile Agency, Washington, D. C.
March, 1935 -- March, 1943 -- Investigator, The Credit Bureau, 1221 G Street, N. W.
March, 1943 -- August, 1945 -- Investigator, 4th Region, Civil Service Commission.

b6
b7C

WFO-121-14939

August, 1945 -- to date, Special Agent, Security Division, State Department.

[redacted]
Born: [redacted]
Residence: [redacted]

Business Telephone: [redacted]
Residence Telephone: [redacted]
Of interest is the following employment of [redacted]
August, 1942 -- September, 1945 -- Investigator, Investigations Division, Civil Service Commission.
September, 1945, to date -- Special Agent Security Division, State Department.

In his application for employment with the State Department, [redacted] listed JOHN H. FINLATOR as a reference. FINLATOR at that time was employed by the Civil Service Commission as an Investigator.

It is noted that [redacted] also listed as a reference one [redacted] Principal Investigator, Civil Service Commission. In this connection it is noted that Washington T-1 referred to one [redacted] of ECA as a member with [redacted] BEALE, BUYNITZKY, and FINLATOR, among others, of the "Red Baiters Club."

JOHN HAYWOOD FINLATOR
Residence: 4839 North 23rd Street, Arlington, Virginia.
Business Telephone: Republic 5600, Extension 2938.
Residence Telephone: CH-8518.
Born: October 4, 1911, Louisburg, North Carolina.
The following employment history for FINLATOR is of interest:
August, 1942 -- April, 1943 -- Investigator, Investigations Division, Civil Service Commission, Washington.

WFO-121-14939

April, 1943 -- May, 1944 -- Rating Analyst, Civil Service Commission, Washington, D. C.
May, 1944 -- September, 1945 -- Investigator, Investigations Division, Civil Service Commission.
September, 1945 -- December, 1949 -- Special Agent, Security Division, State Department.
December, 1949 -- to date, Administrative Officer, Office of Personnel, State Department.

FINLATOR's file at the State Department also reflected that at the time of his appointment as a Special Agent he was questioned concerning his failure to indicate in his application for employment that he had attended Wake Forest College from 1931 to 1933. The file indicated that FINLATOR had "purposely refrained from showing his attendance at Wake Forest" and that he did so "because of the book incident" referred to in a report of a State Department Investigator. In explaining this incident, FINLATOR is said to have insisted to State Department officials that "he had not purloined the book." The above information would indicate that FINLATOR had apparently been involved in an incident involving the theft of a book at Wake Forest College although further details relating thereto were not immediately available.

A mimeographed copy of the seven page statement of Senator MC CARTHY, distributed on July 25, 1950, and a "multi-lith" copy of the "exhibit" (the eleven page so-called Civil Service Commission Report of Investigation), distributed with the statement, were examined by the Federal Bureau of Investigation Laboratory, where the following information was determined:

It was concluded that three typewriters were used in writing the seven page statement. The top line of page one was written with a typewriter equipped with Remington Noiseless Elite Type. Page two of the statement was written with a typewriter equipped with Remington Noiseless Elite Type. Pages three, six, and seven were written with a typewriter equipped with Remington Noiseless Elite Type, which is different from the typewriter used to write page two. The balance of page one and pages four and five were written on a machine equipped with Royal Large Elite Type.

The paper on which the mimeographed reproduction was made measures 8½" x 14" and contains no watermark or other characteristic to identify its source.

The "exhibit" referred to above is a reproduction made by the photolithographic process known as "multi-lith". The paper on which this reproduction has been printed measures 8" x 10½" and contains the Government watermark. There is nothing on any of the pages which would indicate whether it was reproduced at the Government Printing Office or at some other printing establishment using multi-lith machines. Because the "exhibit" is a lithographic copy made from an original, it cannot be determined whether the Civil Service Commission date stamp on the original was made from an actual rubber stamp or was made by some other process. It is likewise not possible to determine whether the word "copy" was placed on the pages of the original with a rubber stamp or was printed. It is observed, however, that onionskin paper with the printed word "copy", such as appears on the sheets of the "exhibit", is readily obtainable.

A comparison of the typewriting on the seven page statement by Senator MC CARTHY and the "exhibit" with the typewriting on the letter from Senator JOSEPH MC CARTHY, dated June 27, 1950, has resulted in the conclusion that the typewriter used for pages one, four and five of the seven page statement by Senator MC CARTHY and the typewriter used for the "exhibit" is not the same typewriter which was used to typewrite the letter from Senator MC CARTHY dated June 27, 1950. It has not been possible to reach a definite conclusion as to whether the typewriter used on pages one, four and five of the seven page statement of Senator MC CARTHY was the same typewriter used on the "exhibit" due to the fact that the "exhibit" is a lithographic copy which obscures certain of the typewriting characteristics necessary in making a comparison.

Also submitted to the Federal Bureau of Investigation Laboratory were impressions of the three rubber date stamps presently in use by the Civil Service Commission Investigations Division. A comparison of the rubber stamp impression on the first page of the eleven page "exhibit" with the known rubber stamp impressions submitted has resulted in the conclusion that the impression on the eleven page "exhibit" was not made from any of the rubber stamps used to make the impressions as submitted, which stamps are presently in use by the Civil Service Commission Investigations Division.

ADMINISTRATIVE

This closing report is being submitted in accordance with Bureau instructions received on August 14, 1950. Accordingly the leads set out for the Washington Field Office in referenced report are not being covered.

All leads specifically set forth in Bureau letter instituting investigation in this case have been covered in referenced report and in this report with the exception of interviews with SETH RICHARDSON and L. V. MELOY of the Loyalty Review Board, with DONALD NICHOLSON of the Department of State (except for a specific inquiry handled by the Miami Office), and with Colonel JAMES E. HATCHER of the Investigations Division, Civil Service Commission. These individuals were not available for interview, being on vacation out of the city or in the case of Mr. MELOY because of illness.

Mr. THOMAS W. BEALE of the Loyalty Review Board is presently on sick leave, reportedly recuperating from a heart attack.

By letter dated Autust 11, 1950, evidence was forwarded to the FBI Laboratory for examination. The results of that examination are not included herein since they have not been received. It is assumed that the Bureau will insert the results of the examination by the FBI Laboratory and they will not be reported by this office. The evidence will be returned to the contributor upon receipt by this office.

It was ascertained through an interview with C. L. COOMBS, referred to in the details, that [redacted] is a Guide at the United States Capitol. She is reported to have told her father and Dr. COOMBS that she was present in the Senate on July 25, 1950, when Senator MC CARTHY was presenting his address in instant matter. [redacted] reportedly stated that she had understood Senator MC CARTHY to have referred to his having had certain of the information received from

b6
b7C

b6
b7C

ADMINISTRATIVE

his sources read to him by a source over the telephone. The Congressional Record does not reflect this interpretation. An interview with [redacted] has not been conducted. It is [redacted] who obtained the "originals" of the material passed around by Senator MC CARTHY on the Senate floor which were secured by this office and submitted to the FBI Laboratory for examination by letter dated August 11, 1950.

There are being submitted separately for the completion of the Bureau's file photostatic copies of material loaned to this office by Mr. CLIVE W. PALMER, Special Assistant to the Attorney General, as reflected in Washington Field Office teletype dated August 10, 1950. Mr. PALMER indicated that free use might be made of the information appearing in his report dated June 20, 1950, but that his confidential memorandum to PEYTON FORD was loaned merely for information and possible leads, and was not to be referred to in the investigation since it was a personal memorandum from him to PEYTON FORD for the latter's information, and reflected his personal opinions not based on definite evidence. The original material is being returned to Mr. PALMER.

Information has been received during this investigation that former Special Agent DALE ADAMS, who has been attached to Senator MC CARTHY's staff, left that employment about four weeks ago and is presently employed by the State of Maryland. He is located at Carvel Hall, Annapolis, Maryland. It was also learned that [redacted] formerly attached to Senator MC CARTHY's staff, has severed this connection and has resumed his practice of law at Milwaukee, Wisconsin.

An Agent of this office recently had occasion to interview JOSEPH ZACK KORNFEDER in connection with an investigation. Upon making an appointment to see KORNFEDER the latter requested the agent to meet him in Room 714, Congressional Hotel, Washington, D. C.

Upon proceeding to that location the agent observed that Room 714 was occupied by KORNFEDER, former Special Agent DONALD SURINE, of Senator MC CARTHY's staff, BENJAMIN MANDEL of the HCUA Staff, and by an unidentified female stenographer who was using a typewriter in the room. The Agent observed that the room was apparently used as an office as well as living quarters and contained newspapers and voluminous other reference material. There was considerable activity in the room including dictation and typing and SURINE confidentially informed the Agent that they were in the process of preparing a comprehensive report for Senator MC CARTHY and indicated that they have been working on the project in that room night and day. It is known that SURINE officially has an office assigned to him in the basement of the Senate Office Building and it would appear that the hotel room is used in carrying out certain assignments not desired to be handled in the Senate Office Building. The Agent who interviewed KORNFEDER is to see him a second time in connection with that investigation, at which time it is anticipated that a typewritten signed statement will be prepared while interviewing KORNFEDER in Room 714, Congressional Hotel.

The Bureau is advised that JOHN H. FINLATOR's personnel file at the State Department indicates that he was considered as an "Expert" for the Department in a specialized field. The Bureau is further advised that FINLATOR was known to have been the principal investigator used by the Security Division of the State Department in handling State Department investigations concerning homosexuality on the part of employees of that agency.

WFO-121-14939

INFORMANT

T-1 -- [redacted] who is being carried as a Confidential Informant at the instruction of the Bureau.

b6
b7C

T-2 -- Anonymous.

REFERENCE: Report of Special Agent WILLIAM A. LEECE, dated August 10, 1950.

The Attorney General

August 10, 1950

Director, FBI

121-[illegible] - 27

SUBJECT
(SEARCH OF SENATOR JOSEPH R. McCARTHY'S
INFORMATION REGARDING GOVERNMENT EMPLOYEES)
REMOVAL OF GOVERNMENT EMPLOYEES
LOYALTY OF GOVERNMENT EMPLOYEES

121-[illegible]

RECORDED - 82

Reference is made to Mr. Peyton Ford's memorandum dated August 8, 1950, concerning the above-captioned matter, wherein Mr. Ford advised that he had discussed this matter with you and that you believed a complete investigation should be undertaken at once.

Transmitted at this time is one copy each of the following reports:

Report of Special Agent William A. Lecce dated August 10, 1950, at Washington, D. C.

Report of Special Agent William A. Lecce dated August 15, 1950, at Washington, D. C.

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF declassification DATE 5-16-78

It will be noted that Mr. Seth W. Richardson, Chairman, Loyalty Review Board, Colonel James E. Hatcher, Chief, Investigations Division, Civil Service Commission, Donald L. Nicholson, Chief, Security Division, State Department, L. V. Meloy, Executive Secretary, Loyalty Review Board, and [redacted] of the Loyalty Review Board were not interviewed during the above investigation, since it was determined that they are presently away from Washington or were at home recovering from illness. b6 b7c

It will also be noted that the Bureau has not interviewed Thomas W. Beale of the Loyalty Review Board since it was learned that he is presently on sick leave allegedly suffering from a heart attack.

Concerning Beale, there is transmitted herewith one copy each of the following reports reflecting the results of a "Special Inquiry" conducted by the Bureau in 1945, at which time Beale was being considered for a position with the House Committee on Un-American Activities:

Attachments

EFM:mp:js

59 FEB 26 1951

DECLASSIFIED BY 3832 ON 5-10-78

Report of Special Agent Robert L. Heald
dated March 21, 1945, at Washington, D. C.

Report of Special Agent Vernon J. Goertz
dated March 24, 1945, at Louisville, Kentucky

Report of Special Agent Francis A. Regan (A)
dated March 20, 1945, at Chicago, Illinois

Report of Special Agent Edward V. Knartzer
dated March 23, 1945, at Indianapolis, Indiana

On August 4, 1950, a Bureau official interviewed Senator Joseph McCarthy, at which time Senator McCarthy stated he could not furnish any information concerning this matter; that his source was confidential and he could not disclose it. He further stated that no employee of his could furnish any information relative to this matter and that he had instructed them not to disclose the source of any of his material.

As you are aware an inquiry was made by Clive Palmer of the Department regarding the possibility of information being divulged by someone at the Loyalty Review Board. It is my understanding that the results of this inquiry are already contained in the Department's files.

No further investigation is contemplated by the Bureau in this matter.

son
d
ss
rin
ols
n
y
o
ont
Room
e

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: August 16, 1950

FROM : MR. D. M. LADD

SUBJECT: UNKNOWN SUBJECT
(SOURCE OF SENATOR JOSEPH R. McCARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES)
REMOVAL OF GOVERNMENT PROPERTY
LGE

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

121-97

PURPOSE:

To advise you of the results of our investigation in an effort to determine the source of Senator McCarthy's information concerning the case of Edward G. Posniak, and to suggest that reports reflecting the results of this investigation be furnished to the Attorney General and no further action be taken by the Bureau.

BACKGROUND:

Senator McCarthy, on July 25, 1950, made a statement on the floor of the Senate concerning a "Mr. X" in the State Department, who was subsequently identified as Edward G. Posniak, subject of a full field loyalty investigation by the Bureau.

In making his statement, Senator McCarthy distributed copies of a document, hereafter referred to as the "exhibit" which purported to be a Civil Service Commission summary of the investigation of Posniak. On July 25, 1950, the Attorney General asked us to conduct an investigation to determine the source from which Senator McCarthy obtained this "exhibit," indicating in his request that there may have been a violation of Title 18, Section 641 and 2071, USCA, dealing with the theft, embezzlement and unlawful removal of Government documents. We asked the Attorney General whether he desired us to interview Senator McCarthy or whether he desired to call him before a Federal Grand Jury. In response, Peyton Ford by memorandum of August 3, 1950, advised he had discussed the matter with the Attorney General and believed a complete investigation should be undertaken. He suggested that all interviews and other inquiries believed to be logical and necessary should be undertaken immediately.

Accordingly, I interviewed Senator McCarthy on August 4, 1950, as to the source of the "exhibit" which accompanied his press release regarding Edward G. Posniak. Senator McCarthy refused to disclose his source and further stated that no employees in his office could furnish any information regarding this matter; that he had instructed them not to disclose the source of any of his material since he felt it his duty to protect his source.

RECORDED - 82
INDEXED - 82

Proceeding from there, we conducted an investigation at the Civil Service Commission, the State Department, and the Loyalty Review

NRJ:EFM:mer
Attachment

EX-13

Board. During the initial inquiries into this matter it was determined that Clive Palmer of the Department had conducted an extensive inquiry concerning a so-called "leak" in the Loyalty Review Board. You may recall that Seth Richardson, Chairman, Loyalty Review Board, on March 14, 1950, wanted the Bureau to conduct an investigation concerning this "leak" and we advised him at that time that the matter was strictly an administrative one and did not constitute a violation the Bureau could investigate. Our investigation at the CSC, the State Department, and the Loyalty Review Board, and the examination of the material gathered by Clive Palmer has revealed the following significant points:

b6
b7C

(1) Senator McCarthy's "exhibit" is apparently not an authentic copy of any document prepared by the CSC, the State Department or the Loyalty Review Board, according to representatives of these three agencies. No documents similar to the "McCarthy exhibit" could be located in the files of these three agencies. The "exhibit" bears what purports to be a date stamp of the Investigations Division, Civil Service Commission. No date stamps of the CSC were found during the investigation similar to the one appearing on McCarthy's "exhibit." It was noted also that the "exhibit" on page two characterizes the United American Spanish Aid Committee as having been cited by the Attorney General. The "exhibit" is dated September 10, 1948, whereas the United American Spanish Aid Committee was not cited by the Attorney General until April 21, 1949.

it is inaccurate in many ways

(2) The "exhibit" contains a signed statement of [redacted] dated September 7, 1948, which did not appear in the Bureau's loyalty reports and which we have ascertained was taken by the State Department Loyalty Board in connection with the adjudication of Posniak's case. The CSC has never had a copy of this particular statement in its files, indicating that Senator McCarthy's source is apparently not within the CSC itself. The Posniak file, as presently maintained by the State Department, is made up in four folders. Two of these folders actually contain the statement of [redacted] and it was particularly interesting to note that one of them had the Bureau's reports and the [redacted] statement arranged in the same sequence as they appeared in Senator McCarthy's "exhibit." These four folders have been traveling back and forth between the State Department and the Loyalty Review Board but it is interesting to note that from February 2, 1950, to May 25, 1950, they were in the possession of the Loyalty Review Board. Senator McCarthy originally began his charges against the State Department on February 20, 1950. From February 2, 1950,

until April 7, 1950, the file was maintained in the office of Colonel Grover Davis, Chief of the Inspections Division, Loyalty Review Board, where all loyalty files are maintained until such time as an Examiner-Inspector calls for the file to prepare the case for the Loyalty Review Board. The Posniak file was called by Dr. Cyril L. Coombs, Examiner-Inspector, Loyalty Review Board, on April 7, 1950, and maintained in his custody in a locked file cabinet from April 7, 1950, until May 25, 1950, except for the period May 4, 1950, to May 24, 1950, during which time the file had been transmitted to Dr. Burton L. French at Oxford, Ohio. Dr. French was Chairman of the panel considering the case. However, while the file was in Dr. Coombs' office, the key to the file cabinet was kept in his "incoming work box" on the top of his desk and this fact could apparently have been known to other employees of the Loyalty Review Board not immediately concerned with the case and such employees could thereby have gained access to the file.

b6
b7C

(3) You will recall that on March 23, 1950, the Baltimore Office advised us that former SA Donald Surine had advised SA John Montgomery of the Baltimore Office on March 20, 1950, that Senator McCarthy was going to expose Walter N. Posniak, a State Department employee. At the time Surine had in his possession a memorandum apparently from Senator McCarthy's office which included quoted material apparently from Bureau investigative reports. Agent Montgomery concluded this material came from our reports because he recognized the names of Special Agents Joseph Kelly and [redacted] Agent Montgomery only had a glimpse of this memorandum in Surine's possession and, of course, did not make any direct inquiries of Surine concerning it. No record could be located at the time of a case on Walter N. Posniak but we discovered that in the loyalty investigation of Edward George Posniak, reports had been submitted by SA Joseph M. Kelly and SA [redacted] The possibility, therefore, exists that the "exhibit" which Senator McCarthy used on July 25, 1950, is the same document which Surine had in his possession on March 20, 1950. We, of course, have taken no steps toward interviewing Surine because, as previously noted, when I interviewed Senator McCarthy on August 4, 1950, he stated that no employee in his office could furnish any information concerning this matter since he had instructed them all not to disclose the source of any of his material.

(4) Based on information provided on a highly confidential basis by [redacted] a possible suspect in this case is Thomas Williams Beale, legal

advisor, Loyalty Review Board. [redacted] has stated that the CSC in 1944 established for all practical purposes that Beale had been furnishing information to Congressmen Wigglesworth, Busbey, Reese and Bursell. According to [redacted] Beale spends a great deal of time extracting information from FBI reports, reports from the HCUA, and other sources which he places on 3x5 cards. [redacted] had also heard in 1944 that Beale maintained eight or ten file cabinets containing material and documents obtained through his official position at the CSC. [redacted] advised that in connection with the John Stewart Service case, Senator McCarthy had made statements before the Senate referring to a decision handed down by the Loyalty Review Board approximately six hours before the Loyalty Review Board actually transmitted the decision to the State Department. [redacted] advised that Beale was extremely nervous and excited on the day this incident occurred. When Clive Palmer of the Department of Justice attempted to make an investigation of the "leak" at the Loyalty Review Board, [redacted] furnished information concerning Beale to Palmer. Palmer questioned several individuals at the Board and was apparently going to question Beale but Beale had departed for home late in the afternoon when Palmer finished talking to other employees, and the following day Beale was in the hospital with a heart attack. According to [redacted] Beale is fanatical on the subject of Communism and feels that the Government is not taking appropriate steps to remove Communists from the Government. Beale has still not returned to work at the Loyalty Review Board and we have made no effort to interview him because of his physical condition.

b6
b7C

Information in Bureau Files Regarding Beale.

Beale was the subject of a special inquiry type investigation for the position of investigator, House Committee on Un-American Activities, in 1945. During the inquiry it was determined that Beale had been a magistrate in Jefferson County, Kentucky, from 1929-1931. On December 23, 1931, and January 29, 1932, he was indicted on charges of malfeasance, compounding a crime, criminal conspiracy, nonfeasance, and misfeasance arising out of acts committed by him while a magistrate. He was found guilty on January 21, 1932 of "compounding a crime" and fined $25. Other indictments against him were either dismissed or disappeared from official records. Beale was described by persons interviewed as "being crooked as a ram's horn," and a "damn rascal." Investigation disclosed he was a friend of and recommended highly by Congressman Fred E. Busbey. His superiors at the CSC described him as having strong prejudices in matters concerning un-Americanism, and reported that he had been censured because

of the strict stand he took on certain cases. It was also developed that Beale was interested in the Constitutional Educational League, Inc. and had corresponded with Joseph P. Kamp, Director and Vice Chairman of this organization, who is the author of the book entitled "America Betrayed." Kamp has published and circulated numerous anti-Communist publications in connection with the Constitutional Educational League, Inc.

During the course of our investigation we have not interviewed the Honorable Seth W. Richardson, Chairman, Loyalty Review Board; L. V. Meloy, Executive Secretary; or Mr. James E. Hatcher, Chief, Investigations Division, CSC. It was ascertained that Richardson is "camping out" in the Maine woods out of touch of civilization. Meloy is suffering from a heart attack and his condition will not permit an interview with him. Hatcher is on leave in Canada. However, it is doubtful whether these men would be able to provide any information without reference to their files and we have examined the appropriate files at the CSC and the Loyalty Review Board and have discussed the matter with officials presently on duty at these agencies.

RECOMMENDATION:

Attached for your approval is a memorandum to the Attorney General transmitting reports reflecting the results of our investigation and copies of reports reflecting the results of the special inquiry type investigation conducted concerning Thomas W. Beale. The Attorney General is being advised that no further action is contemplated by the Bureau in this matter.

Repts attached to orig memo to A.G. 1/17/57

OK.

FEDERAL BUREAU OF INVESTIGATION

Room 5744 10/11, 1950

TO:
- ✓ Director
- Mr. Ladd
- Mr. Clegg
- Mr. Glavin
- Mr. Harbo
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Belmont
- Mr. Mohr
- Mr. Carlson
- Mr. Callahan
- Mr. Nease
- Miss Gandy
- Personnel Files Section
- Records Section
- Mrs. Skillman

| | |
|---|---|
| Mr. Tolson | |
| Mr. Ladd | |
| Mr. Clegg | |
| Mr. Glavin | |
| Mr. Nichols | |
| Mr. Rosen | |
| Mr. Tracy | |
| Mr. Harbo | |
| Mr. Belmont | |
| Mr. Mohr | |
| Tele. Room | |
| Mr. Nease | |
| Miss Gandy | |

See Me For Appropriate Action

Send File Note and Return

Clyde Tolson

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

TO : Director, FBI

DATE: September 19, 1950

FROM : GUY HOTTEL, SAC, Washington Field

SUBJECT: UNKNOWN SUBJECT;
(Source of Senator JOSEPH R. McCARTHY's Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES
(Bufile 121-23278)

STRICTLY CONFIDENTIAL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 1/11/80 BY SP-5 RJG/RLH

DON SURINE, former FBI Special Agent, who is now employed as an investigator by U. S. Senator JOSEPH R. McCARTHY, made the following statement to Special Agent FRANCIS J. DUANE of this office, when contacted on September 15, 1950, on official business.

SURINE said "I would like to get a copy of the Bureau's summary report on LATTIMORE". He presumed that approximately twelve Bureau offices had these reports, and that copies had also been distributed to ONI and G-2, Department of the Army. SURINE indicated that in the past, he had been able to secure some information from the New York Office of ONI. He stated that he needed such a report inasmuch as Senator McCARTHY, in the future, would not make any further allegations without being able to support such allegations by an investigative report. He said that if he could get the report, he could attribute the information contained therein to another government investigative agency, explaining that "this is what happened in the POSNIAK Case".

SURINE advised that he was aware that the Bureau had initiated an investigation to determine how Senator McCARTHY could have obtained the information appearing in the CSC investigative file concerning POSNIAK. He also stated that the Senator had been questioned in this regard by Assistant to the Director D. M. LADD.

SURINE said that if he had the LATTIMORE summary report, it would be handled in the same fashion as was done in the POSNIAK Case, explaining that he would insert the information appearing in the Bureau report in the form of a summary of information appearing in the CSC investigative files, thus making it appear that his office had secured a CSC file rather than a Bureau file. In this way, SURINE said he would not be violating any laws inasmuch as the CSC summary report would not be a bona fide report of a government agency.

PROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF

UNRECORDED COPY FILED IN

FJD:EAM:cl
121-14939
cc - Bufile 100-24628
cc - Baltimore (100-1630)
cc - New York (100-94061)
cc - WFO File 100-20548

121-41668-28
~~121-23278-263X~~

RECORDED - 47
~~INDEXED - 47~~
EX-127

FEB 13 1951

6 MAR 2 1951

and thus a theft of government property case, as such could not be proved. He also believed that a theft of government property with respect to the information contained in the report could not be proved inasmuch as the information would be completely paraphrased, making it impossible for any observer to determine that the information was actually taken from a Bureau report.

SURINE did not specifically ask Agent DUANE to secure a copy of this report, nor did he in any way intimate that he could obtain this report from his Bureau acquaintances. He likewise did not indicate that Senator McCARTHY was aware of the practice evidently adopted by him in the POSNIAK Case or in making such an informal request for a Bureau report.

Since leaving the Bureau, SURINE has previously advised that his contacts with Bureau have been on a strictly business basis. He has indicated, however, that his former associates, especially in the Baltimore Office, have taken particular care to avoid having any contact with him in recent months.

The foregoing data was volunteered in its entirely by SURINE, who made these statements without the solicitation of Agent DUANE, whose only comment at the conclusion of SURINE's remark was that this report would not be available to him.

SURINE has been in contact with this office during the investigation of the LATTIMORE Case. He has furnished this office with general correspondence received by Senator McCARTHY which contained certain allegations bearing on the internal security of the country, which allegations were within the Bureau's investigative jurisdiction.

Contact with SURINE will be continued on a strictly formal and official basis, and this office will continue to receive such correspondence as SURINE voluntarily makes available, unless otherwise advised by the Bureau.

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, Federal Bureau of Investigation

DATE: September 19, 1950

FROM : Peyton Ford, Deputy Attorney General

PF:JMM:JER:[illegible]

SUBJECT: UNKNOWN SUBJECT
(SOURCE OF SENATOR JOSEPH R. McCARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

51-16-91

CONFIDENTIAL

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

This refers to your memorandum to The Attorney General of August 16, 1950.

Please interview Mr. Seth W. Richardson and the other persons mentioned in your memorandum, including Thomas W. Beale, at times deemed propitious and develop all logical leads. The purpose is to determine whether Beale, or anyone else, has violated Section 2071 or Section 641, Title 18 U.S.C. (1948 ed.), in supplying information to Senator McCarthy or otherwise.

12L 41663-29

~~12L 41663~~ 263X2

RECORDED - 47
INDEXED - 47

SEP 25 1950

14

b6
b7C

Declassified by: [redacted]
Special Assistant to the Attorney General
Routine SUP 7-7-80

cc Mr. Jack Rivers 9-25-50

170

51 MAR 3 1951

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, Federal Bureau of Investigation

DATE: September 28, 1950

FROM : Peyton Ford, Deputy Attorney General

JMM:GND:ew

SUBJECT: Unknown Subject
(Source of Senator Joseph R. McCarthy's Information Regarding Government Employees);
Removal of Government Property;
Loyalty of Government Employees.

51-16-91

CONFIDENTIAL

b6
b7C

This refers to our memorandum of September 19, 1950, relating to the case mentioned above.

We have been informed that [redacted] now a Civil Service investigator, may have some helpful information regarding the matter under investigation. In addition to the interviews suggested in our previous memorandum, it is desired that you arrange to have [redacted] interviewed.

Declassified by: [redacted]
Special Assisant to the Attorney General.
Routing Slip 7-7-80.

121-41668-30
~~121-23278~~ 26215

RECORDED - 47

OCT 25 1950

INDEXED - 47

59 FEB 26 1951

SAC, Washington Field Office

September 29, 1950

Director, FBI

BY SPECIAL MESSENGER

UNKNOWN SUBJECT;
(Source of Senator JOSEPH R. McCARTHY's
Information Regarding Government Employees)
REMOVAL OF GOVERNMENT PROPERTY
LOYALTY OF GOVERNMENT EMPLOYEES

Dereps SA William A. Leece, Washington, 8-10-50 and 8-15-50.

Refreps and reports covering SI on Thomas W. Beale in 1945 when Beale was being considered for position with House Committee on Un-American Activities transmitted to AG 8-16-50.

During SI re Beale it was determined that Beale had been a magistrate in Jefferson County, Kentucky, from 1929-1931. On December 23, 1931, and January 29, 1932, he was indicted on charges of malfeasance, compounding a crime, criminal conspiracy, nonfeasance, and misfeasance arising out of acts committed by him while a magistrate. He was found guilty on January 21, 1932 of "compounding a crime" and fined $25. Other indictments against him were either dismissed or disappeared from official records. Beale was described by persons interviewed as "being crooked as a ram's horn," and a "damn rascal." Investigation disclosed he was a friend of and recommended highly by Congressman Fred E. Busbey. His superiors at the CCC described him as having strong prejudices in matters concerning un-Americanism, and reported that he had been censured because of the strict stand he took on certain cases. It was also developed that Beale was interested in the Constitutional Educational League, Inc. and had corresponded with Joseph P. Kamp, Director and Vice Chairman of this organization, who is the author of the book entitled "America Betrayed." Kamp has published and circulated numerous anti-Communist publications in connection with the Constitutional Educational League, Inc.

Memo of 8-16-50, to AG stated Seth W. Richardson, James E. Hatcher, Donald L. Nicholson, L. V. Meloy and [redacted] were not interviewed during captioned investigation since it was determined they were absent from Washington or ill. Also stated Beale not being interviewed since he was on sick leave reportedly suffering from heart attack. Memo further advised AG that Senator McCarthy had stated he could not furnish any information concerning this matter; that his source was confidential and he could not disclose it; and further that no employee of his could furnish any information relative to this matter and that he had instructed them not to disclose the source of any of his material.

121-41668-31

By memo 9-19-50, Deputy Attorney General Peyton Ford made following request:

RECORDED - 47

EX-127

"Please interview Mr. Seth W. Richardson and the other persons mentioned in your memorandum, including Thomas W. Beale, at times

121-23273

JDP:mbf

b6
b7C

WADE 3

SEP 29 1950

U.S. DEPT. OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

FEB 26 1951

deemed propitious and develop all logical leads. The purpose is to determine whether Beale, or anyone else, has violated Section 2071 or Section 641, Title 18 U.S.C. (1948 ed.), in supplying information to Senator McCarthy or otherwise."

Handle immediately. Utmost tact and circumspection necessary.

SAC, Washington Field

October 5, 1950

Director, FBI

BY SPECIAL MESSENGER

UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's
Information Regarding Government Employees);
Removal of Government Property;
Loyalty of Government Employees

b6
b7C

Rebulet 9/29/50 instructing that Mr. Seth W. Richardson and Thomas W. Beale be interviewed per Mr. Peyton Ford's instructions. Bureau now in receipt of information from Mr. Ford instructing that Bureau interview [redacted] Civil Service investigator, who may have some helpful information regarding instant investigation. Handle.

EFM:lm

RECORDED - 121 - 40648-32

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

59 FEB 26 1951

The Director

October 5, 1950

D. M. Ladd

DON SURINE
FORMER SPECIAL AGENT

PURPOSE

(1) To advise you that when Don Surine told us if we gave him a copy of the summary report on Lattimore, it would be handled in the same manner as was done in the Posniak case, he was undoubtedly unthinkingly referring to the document distributed by Senator McCarthy on July 25, 1950, which purported to be a Civil Service Commission summary of the investigation of Edward G. Posniak.

(2) To suggest we do not interview Surine concerning the above.

(3) To advise you that Donald Surine called the Bureau on October 2, 1950, not August 2, 1950.

BACKGROUND INFORMATION

You will recall on September 15, 1950, Don Surine advised an Agent of the Washington Field Office he would like to get a copy of the Bureau's summary report on Lattimore, and in this regard Surine volunteered if he had the Lattimore summary report, it would be handled in the same fashion as was done in the Posniak case. You noted, "Just what does he mean by this?"

You will recall that Senator McCarthy on July 25, 1950, made a statement on the floor of the Senate concerning "Mr. X" in the State Department, who was subsequently identified as Edward G. Posniak, subject of a full field loyalty investigation by the Bureau. In making his statement, Senator McCarthy distributed copies of a document which purported to be a Civil Service Commission summary of the investigation of Posniak. On July 25, 1950, the Attorney General asked us to conduct an investigation to determine the source from which Senator McCarthy obtained his document. The Investigation disclosed that Senator McCarthy's document is apparently not an authentic copy of any document prepared by the CSC, the State Department or the Loyalty Review Board, according to representatives of these three Agencies. In addition, the document distributed by Senator McCarthy contains inaccuracies, and it was prepared in such a way as to indicate it could not have been prepared as a CSC summary of the investigation of Posniak. In addition, you will recall that on March 23, 1950, the Baltimore Office advised us that Don Surine had advised an Agent of that office that Senator McCarthy was going to expose Walter N. Posniak, a State Department employee. At that time,

SGR:eas:jpa

cc: 121-23278

121-41668-1

NOT RECORDED
119

NOV 13 1950

ORIGINAL FILED IN 121-23278-2147

Nelson
Tidd
Egger
Mavin
Nichols
Tesen
Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Tandy

Surine had in his possession a memorandum, apparently from Senator McCarthy's office, which included quoted material, apparently from Bureau investigative reports. The possibility exists that the document which Senator McCarthy used on July 25, 1950, is the same document which Surine had in his possession on March 20, 1950, and the possibility further exists that this is the document that Surine was referring to on September 15, 1950, as noted above. It would further appear from the above that Surine was not thinking when he said what he did on September 15, 1950.

At the suggestion of the Attorney General, I interviewed Senator McCarthy on August 4, 1950, as to the source of the document which accompanied his press release regarding Edward G. Posniak. Senator McCarthy refused to disclose his source, and he further said he had instructed the employees in his office not to disclose the source of any of his material, since he felt it his duty to protect his sources.
(121-23278-223)

In view of the above, it is respectfully suggested that we do not interview Don Surine concerning his statement given to us on September 15, 1950.

For your information, the investigation requested by the Attorney General concerning Senator McCarthy's document, which is captioned, "Unknown Subject; (Source of Senator Joseph R. McCarthy's Information Re. Government Employees) Removal of Government Property; Loyalty of Government Employees" is continuing.

With reference to your inquiry concerning the correctness of the date on which Don Surine called the Bureau you are advised that the correct date is October 2, 1950, and not August 2, 1950, which date appeared in the memorandum from Mr. Belmont to me dated October 4, 1950. We regret that this inaccuracy occurred and we have corrected it.

b6
b7C

10-6-50

WASHINGTON FROM WASH. FIELD 6 8:05 p.m.

DIRECTOR DEFERRED

UNSUB PAREN SOURCE OF SENATOR JOSEPH R. MC CARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES UNPAREN. RGP. LGE. REBULET OCTOBER FIVE NINETEEN FIFTY REQUESTING INTERVIEW OF [redacted] CSC INVESTIGATOR, AT INSTRUCTION OF DAG PEYTON FORD. [redacted] ON INTERVIEW UNAWARE OF ANY REASON SUGGESTING HIS POSSESSION OF INFORMATION REGARDING INSTANT INVESTIGATION. QUESTIONING DEVELOPED HE HANDLED CSC INVESTIGATION OF [redacted] SEVERAL YEARS AGO. SUBSEQUENTLY HIS SUMMARY AND RECOMMENDATIONS IN [redacted] CASE WERE QUOTED IN EITHER PM OR DAILY WORKER, INFORMATION APPARENTLY HAVING BEEN ILLEGITIMATELY OBTAINED FROM CSC FILES. [redacted] OTHERWISE KNOWN AS QUOTE DOCTOR X UNQUOTE. THIS APPELLATION MAY HAVE BEEN CONFUSED WITH QUOTE MR. X UNQUOTE, BY WHICH POSNIAK REFERRED TO, THUS RESULTING IN CONFUSED BELIEF THAT [redacted] HAS INFORMATION IN INSTANT CASE. SUGGEST DAG FORD BE SO INFORMED SO AS TO DETERMINE IF ANY OTHER REASON TO INDICATE [redacted] SHOULD HAVE ANY INFORMATION IN INSTANT CASE. UNLESS FURTHER ADVISED, [redacted] INTERVIEW WILL NOT BE INCLUDED IN REPORT. INVESTIGATION PROCEEDING.

121-41661-33

HOTTEL

CWL:JG RECORDED - 47

121-14939 INDEXED - 47

9 FEB 26 1951

EX 127

b6
b7C

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: October 10, 1950

FROM : C. H. Stanley

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

SUBJECT: UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's Information Regarding Government Employees)
Removal of Government Property
LOYALTY OF GOVERNMENT EMPLOYEES

PURPOSE:

To advise Mr. Peyton Ford results of interview with [redacted] Civil Service Commission Investigator.

BACKGROUND:

By memorandum dated September 28, 1950, Mr. Peyton Ford, Deputy Attorney General, requested the Bureau to interview [redacted] a Civil Service Commission Investigator, who may have some helpful information regarding the matter under investigation.

[redacted] was interviewed by Agents of the Washington Field Office on October 6, and advised that he was unaware of any reason suggesting his possession of information regarding instant case. Upon questioning it was developed that he handled Civil Service Commission Investigation of [redacted] several years ago and subsequently his summary and recommendations in [redacted] case were quoted in either the "Daily Worker" or the magazine "PM," such information apparently having been illegally obtained from the Civil Service Commission files. According to [redacted] was also known as "Dr. X," which may have been the reason for the belief that he knew something about instant case since Posniak has been referred to in this case as "Mr. X."

RECOMMENDATION:

If you agree, there is attached hereto a suggested memorandum to Mr. Peyton Ford advising him that [redacted] was interviewed at which time he stated that he was unaware of any reason suggesting that he was in possession of information regarding instant investigation.

121-23278
EFM:bje

121-41668-2M35

RECORDED - 47

FEB 13 1951

INDEXED - 47

EX-127

59 FEB 26 1951

RECEIVED
LOYALTY SECTION

OCT 11 4 59 PM '50

FBI
U.S. DEPT. OF JUSTICE

10-10-50

FBI WASH FIELD

2P

DIRECTOR

URGENT

UNSUB PAREN SOURCE OF SENATOR JOSEPH MC CARTHY'S INFORMATION REGARDING GOVERNMENT EMPLOYEES END PAREN. REMOVAL OF GOVERNMENT PROPERTY, LGE. SETH RICHARDSON, CHAIRMAN, LOYALTY REVIEW BOARD, ADVISED ON INTERVIEW THIS MORNING THAT ABOUT THE TIME OF THE MC CARTHY STATEMENT IN INSTANT MATTER BROKE, RICHARDSON RECEIVED A PHONE CALL FROM DREW PEARSON, WITH WHOM HE IS FRIENDLY AND PEARSON SAID IN EFFECT - I HAVE BEEN TOLD BY A MEMBER OF SENATOR MC CARTHY'S STAFF THAT HE HAS BEEN OBTAINING INFORMATION FROM AN INDIVIDUAL EMPLOYED IN LRB. ALSO AN INDIVIDUAL EMPLOYED BY LRB HAS BEEN SEEN AT SENATOR MC CARTHY'S OFFICE, AND WHAT ABOUT THIS FELLOW BEALE WHO WORKS FOR YOU. - IN OTHER WORDS, RICHARDSON CANNOT SAY THAT PEARSON SAID BEALE HAD BEEN FURNISHING INFORMATION TO MC CARTHY OR HAD BEEN SEEN AT MC CARTHY'S OFFICE, BUT THE IMPLICATION WAS OBVIOUS. AT THE TIME OF PEARSON'S CALL RICHARDSON WAS NOT AWARE OF BEALE'S IDENTITY AS AN EMPLOYEE OF LRB, AND SO INFORMED PEARSON. THEN PEARSON INQUIRED AS TO WHERE HE MIGHT SECURE A LIST OF NAMES OF THE EMPLOYEES OF LRB, AND RICHARDSON HAD L.V. MELOY, EXECUTIVE SECRETARY OF LRB PREPARE SUCH A LIST, AND BRING IT TO RICHARDSON'S HOUSE WHERE A LEG-MAN OF PEARSON'S CAME AND RECEIVED IT. RICHARDSON IS WILLING TO HAVE THESE FACTS RECITED TO PEARSON. IF THE BUREAU WISHES TO CONTACT PEARSON TO OBTAIN ANY FACTS IN PEARSON'S POSSESSION REGARDING THE SOURCE OF MC CARTHY'S INFORMATION, OR IN PARTICULAR WITH REGARD TO THOMAS W. BEALE WHO IS PRINCIPAL SUSPECT IN THIS CASE. RICHARDSON INDICATED THAT PEARSON COULD BE INFORMED THAT RICHARDSON WOULD HAVE NO OBJECTION TO PEARSON'S REVEALING THE INFO TO THE BUREAU. REQUEST ADVICE AS TO WHETHER BUREAU DESIRES TO CONTACT PEARSON.

121-41683-36

RECORDED - 47

INDEXED - 47

END

LOTTIL

CWL:lh
121-11933

Mr. Peyton Ford
Deputy Attorney General

October 10, 1950

Director, FBI

UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's
Information Regarding Government Employees)
Removal of Government Property
LOYALTY OF GOVERNMENT EMPLOYEES
Your reference JMM:GMD:MW 51-16-91

b6
b7C

Reference is made to your memorandum of September 20, 1950, requesting that the Bureau interview [redacted] a Civil Service Commission Investigator, who may have some helpful information regarding instant case.

Please be advised that on October 6, 1950, [redacted] was interviewed by Agents of the Washington Field Office of this Bureau, at which time [redacted] advised that he was unaware of any reason suggesting he was in possession of information regarding instant investigation.

The above is being called to your attention in the event you have further information which may assist this Bureau in interviewing [redacted]

APPROPRIATE AGENCIES
AND [illegible]
ADVI[illegible]
SLIP (S) [illegible] declassification
DATE [illegible]

EFM:bje

121-23273

DECLASSIFIED BY 3832
ON 5-10-78
LLS/bja

RECORDED - 47 121-41608-37

OCT 11 [illegible]

EX-127

FEB 13 [illegible]

8

66 FEB [illegible]

SAC, Washington Field

October 11, 1950

Director, FBI

BY SPECIAL MESSENGER

UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's
Information Regarding Government Employees)
Removal of Government Property
LOYALTY OF GOVERNMENT EMPLOYEES

Reurlet September 19, 1950, and Bulet September 29, 1950. You are instructed to set forth in your report reflecting additional investigation in instant case information obtained from former Special Agent Don Surino during his interview with Special Agent Francis Dunne of your office. This information was previously submitted by your letter of September 19, 1950. Expedite submission of report.

EFM:man

RECORDED - 47 121-41164-38

FEB 13 1951

EX-101

OCT 12 1950

U.S. DEPT. OF JUSTICE
RECEIVED-READING ROOM
F B I
OCT 12 10 25 AM '50

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr
Tele. Room
Nease
Gandy

STANDARD FORM NO. 64

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

DATE: October 11, 1950

FROM : A. H. Belmont

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Holmes
Miss Gandy

SUBJECT: UNKNOWN SUBJECT
(Source of Senator Joseph R. McCarthy's Information Regarding Government Employees)
Removal of Government Property
LOYALTY OF GOVERNMENT EMPLOYEES

PURPOSE:

To include in WFO report information pertaining to former Special Agent Don Surine's admission to Bureau agent that he had prepared CSC Summary of Information which was used by Senator McCarthy on the floor of the Senate in the case referred to by Senator McCarthy as Mr. X. McCarthy later distributed copies of the alleged CSC Summary.

BACKGROUND:

You will recall by letter dated September 19, 1950, the Washington Field Office advised that Don Surine, former Bureau agent now employed as an investigator by Senator Joseph R. McCarthy, stated to Special Agent Francis J. Duane of the WFO that he would like to get a copy of the Bureau's summary report on Lattimore. Surine presumed that approximately twelve Bureau offices had ~~made~~ SUBMITTED reports and that copies had been distributed to ONI and G-2; further, that in the past he had been able to secure some information from the New York Office of ONI. Surine claimed he needed such a report inasmuch as Senator McCarthy in the future would not make any further allegations without being able to support such allegations by an investigative report. He said that if he could get the report, he could attribute the information contained therein to another government investigative agency explaining that, "This is what happened in the Posniak case." You will recall that the case presented before the Senate by Senator McCarthy and described as the case of Mr. X was later determined to be the case of Edward G. Posniak.

Surine further advised that he was aware that the Bureau had initiated an investigation to determine how Senator McCarthy could have obtained the information appearing in the CSC investigative file concerning Posniak and that he also had heard that the Senator had been questioned in this regard by you. Surine indicated that if he could have the Lattimore summary report it would be handled in the same fashion as was done in the Posniak case, explaining that he would insert the information appearing in the Bureau report in the form of a summary of information appearing in the CSC investigative files; thus making it appear that his office had secured a CSC file rather than a Bureau file. In this way, Surine said he would not be violating any laws inasmuch as the CSC summary report would not be a bona fide report of a government agency and thus, a Theft of Government Property case, as such, could not be proved.

Attachment

EFM:man

RECORDED - 47
INDEXED - 47
FEB 27 1951
FEB 13 1951
EX-127
PERS FILES

Agent Duane advised that Surine did not specifically ask him to secure a copy of this report nor did he in any way intimate that he could obtain this report from his Bureau acquaintances. He likewise did not indicate that Senator McCarthy was aware of the practice evidently adopted by him in the Posniak case or in making such an informal request for a Bureau report. Agent Duane further advised that the foregoing data was volunteered in its entirety by Surine, who made the statements without any solicitation on the part of Duane.

You will also recall that by memorandum dated September 19, 1950, Deputy Attorney General Peyton Ford instructed the Bureau to reopen its investigation in this matter and to interview certain individuals who had been previously set forth in Bureau memorandum to the Department as not having been interviewed due to their absence from the city or illness. The investigation is still continuing at this time and a report has not been submitted by the Washington Field Office reflecting the additional investigation conducted by that office as requested by Mr. Peyton Ford.

RECOMMENDATION:

It is recommended that the WFO be instructed to include in its report in instant case information obtained by Special Agent Duane from former Special Agent Don Surine indicating the method used by Surine in his handling of the case referred to by Senator McCarthy as Mr. X and later identified by the Bureau as the case of Edward George Posniak. If you agree, a suggested teletype to WFO is attached.

✓ pl

Mr. D. M. Ladd

October 12, 1950

A. H. Belmont

[illegible]
([illegible] Senator Joseph R. McCarthy's
[illegible])
[illegible]
[illegible]

[illegible]:

To have Mr. Drew Pearson, well known newspaper columnist, interviewed by Assistant Director Nichols concerning instant case. Mr. Seth W. Richardson, Chairman, Loyalty Review Board, has indicated that Pearson may have some information concerning this matter.

[illegible]:

You will recall that Senator McCarthy on July 25, 1950, made a statement on the floor of the Senate concerning a "Mr. X" in the State Department, who was subsequently identified as Edward [illegible] Freeman, subject of a full field loyalty investigation by the Bureau.

In making his statement Senator McCarthy distributed copies of a document which purported to be a Civil Service Commission summary of the investigation of Freeman. On July 27, 1950, the Attorney General asked us to conduct an investigation to determine the source from which Senator McCarthy obtained the above summary, indicating in his request that there may have been a violation of Title 18, Sections 641 and 2071, USCA, dealing with the theft, embezzlement and unlawful removal of Government documents. The Attorney General suggested that all interviews and other inquiries believed to be logical and necessary should be conducted.

The investigation conducted by the Bureau in this matter disclosed that the summary distributed by Senator McCarthy is apparently not an authentic copy of any document prepared by the Civil Service Commission, the State Department or the Loyalty Review Board; further, that no documents similar to the summary distributed by McCarthy could be located in the files of these three agencies. The summary bears what purports to be a date stamp of the Investigations Division, Civil Service Commission; however, no date stamps of the Civil Service Commission were found during the investigation similar to the one appearing on the summary. It was also noted that the summary on page two characterizes the United American Spanish Aid Committee as having been cited by the Attorney General. It will be noted that the summary is dated September 18, 1950, whereas the United American Spanish Aid Committee has not cited by the Attorney General until April 21, 1949.

Information was received on a highly confidential basis from [redacted] b6 b7C that Thomas Williams Scale, Legal Adviser, Loyalty Review Board, was a possible suspect in this case. Smith stated that the Civil Service Commission in 1946 established for all practical purposes that Scale had been furnishing information to Congressman [illegible] Jeffery, [illegible],

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

Attachment

[redacted]

Reese, and Purcell. According to [redacted] Seale spends a great deal of time extracting information from FBI reports, reports from the NSA and other sources which he places on three by five cards. According to [redacted] Seale is fanatical on the subject of Communism and feels that the government is not taking appropriate steps to remove Communists from the government. At the time of the interview it was determined that Seale was then suffering from a heart attack and was confined to his home.

b6
b7C

Bureau files disclose that Seale was a subject of a Special Inquiry type investigation for the position of investigator, NSA, in 1945. Inquiry established that Seale had been a magistrate in Jefferson County, Kentucky, from 1929 to 1931 and on December 23, 1931, and January 29, 1932, he was indicted on charges of malfeasance, compounding a crime, criminal conspiracy, nonfeasance and misfeasance arising out of acts committed by him while a magistrate. He was found guilty on January 21, 1932, of compounding a crime and fined $25. The other indictments against him were either dismissed or disappeared from official records. The inquiry further established that he was a friend of and recommended highly by Congressman Dushey. On August 15, 1950, copies of the investigative reports reflecting the results of the investigation conducted in this matter were transmitted to the Attorney General, at which time it was pointed out that Mr. Seth W. Richardson and Mr. L. V. Moloy, both of the Loyalty Review Board, and Mr. James E. Hatcher, Civil Service Commission, were not interviewed because it was ascertained that Richardson and Hatcher were somewhere in the North on vacation and that Moloy was suffering from a heart attack. In addition to the reports reflecting the results of the investigation conducted in instant case, the Attorney General was also furnished with copies of the Special Inquiry type investigation conducted by the Bureau concerning Thomas W. Seale.

By letter dated September 19, 1950, the Washington Field Office advised that Don Surino, former Bureau Agent now employed as an investigator by Senator Joseph R. McCarthy, stated to Special Agent Francis J. Lugno of the Washington Field Office that he would like to get a copy of the Bureau's summary report on Lattimore. Surino presumed that approximately twelve Bureau offices had these reports and that copies had been distributed to ONI and G-2; further, that in the past he had been able to secure some information from the New York Office of ONI. Surino claimed he needed such a report inasmuch as Senator McCarthy in the future would not make any further allegations without being able to support such allegations by an investigative report. He said that if he could get the report he could attribute the information contained therein to another government investigative agency explaining that "this is what happened in the Kosniak case." You will recall that the case presented before the Senate by Senator McCarthy and described as the case of "Mr. X" was later determined to be the case of Edward G. Kosniak.

Surino further advised that he was aware that the Bureau had initiated an investigation to determine how Senator McCarthy could have obtained the information appearing in the Civil Service Commission investigative file concerning

Posniak and that he also had heard that the Senator had been questioned in this regard by you. Surine indicated that if he could have the Lattimore summary report it would be handled in the same fashion as was done in the Posniak case, explaining that he would insert the information appearing in the Bureau report in the form of a summary of information appearing in the Civil Service Commission investigative files, thus making it appear that his office had secured a Civil Service Commission file rather than a Bureau file. In this way Surine said he would not be violating any laws inasmuch as the CSC summary report would not be a bona fide report of a government agency and thus a theft of government property case, as such, could not be proved.

You will also recall that by memorandum dated September 19, 1950, Deputy Attorney General Peyton Ford instructed the Bureau to reopen its investigation in this matter and to interview certain individuals who had been previously set forth in Bureau memorandum to the Attorney General of August 16, 1950, as not having been interviewed due to their absence from the city or illness.

On October 10, 1950, Mr. Seth W. Richardson, Chairman, Loyalty Review Board, was interviewed by a Washington Field Office Agent, at which time he advised that about the time of the McCarthy statement in instant case broke, Richardson received a phone call from Drew Pearson, with whom he is friendly, and Pearson at that time said in effect, "I have been told by a member of Senator McCarthy's staff that he has been obtaining information from an individual employed in the Loyalty Review Board...further, that an individual employed by the Loyalty Review Board has been seen at Senator McCarthy's office...What about this fellow Beale who works for you?"

Richardson advised that he cannot say that Pearson said Beale had been furnishing information to McCarthy or had been seen at McCarthy's office, but the implication was obvious. At the time of Pearson's call Richardson was not aware of Beale's identity as an employee of the Loyalty Review Board and so informed Pearson. Pearson then inquired of Richardson as to whether he might secure a list of names of the employees of the Loyalty Review Board and Richardson had L. V. Meloy, Executive Secretary of the Loyalty Review Board, prepare such a list which was turned over to Pearson. Mr. Richardson advised that he is willing to have these facts recited to Pearson if the Bureau wishes to contact Pearson to obtain any facts in his possession regarding the source of McCarthy's information, or in particular with regard to Thomas W. Beale. Richardson further indicated that he would have no objection to Pearson's revealing the information to the Bureau.

In Deputy Attorney General Ford's memorandum of September 19, 1950, as was pointed out previously, he instructed the Bureau to interview Seth W. Richardson and other persons mentioned in Bureau memorandum of August 16, 1950, including Thomas W. Beale, at times deemed propitious and develop all logical leads.

RECOMMENDATION:

If you agree, it is recommended that the attached memorandum be routed to Assistant Director Nichols for the purpose of having Drew Pearson interviewed concerning information in his possession concerning instant case. This recommendation is being made since Mr. Peyton Ford has instructed the Bureau to cover all logical leads and specifically to interview Seth W. Richardson, who in turn has furnished us information indicating that Pearson has additional information concerning this matter. For the assistance of Assistant Director Nichols there is attached hereto a summary memorandum in instant case dated August 16, 1950, setting forth background information and the results of the investigation conducted as of that time.

RECOMMENDATION:

If you agree, it is recommended that the attached memorandum be routed to Assistant Director Nichols for the purpose of having Drew Pearson interviewed concerning information in his possession concerning instant case. This recommendation is being made since Mr. Peyton Ford has instructed the Bureau to cover all logical leads and specifically to interview Seth W. Richardson, who in turn has furnished us information indicating that Pearson has additional information concerning this matter. For the assistance of Assistant Director Nichols there is attached hereto a summary memorandum in instant case dated August 16, 1950, setting forth background information and the results of the investigation conducted as of that time.

I think we should specifically ask Ford whether it is desired that Pearson be interviewed; if he does, we should tell Pearson our contact with him is pursuant to Ford's request.

10-12

Yes.

memo Ford
10-16-50
E.F.M.